

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4429 of 2018

Arising Out of PS. Case No.-189 Year-2016 Thana- PARSA District- Saran

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Rita Devi, Wife of Kameshwar Rai, Resident of Village- Anjani Mathiyan,
P.S. Parsa, District- Saran.

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Vasant Vikas

For the Respondent/s : Mr.Sri Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 17-01-2019

This is an appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer of anticipatory bail dated 27.09.2018 passed by learned 1st Addl. Sessions Judge, Saran at Chapra in ABP No. 2497 of 2018 arising out of Parsa P. S. Case No. 189 of 2016 registered under Sections 323, 342 and 504/34 of the Indian penal Code and Sections 3(i)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and 3 and 4 of the Prevention of Witch (Daain) Practices Act, 1999.

Allegation against the appellant and other accused persons is of abusing the informant calling her Daain and also assaulted her and one Indradeo Rai cut the hair of the informant



and put it on fire.

Submission of learned counsel for the appellants is that no specific allegation of assault or abusing by caste name is attributed against the appellant and she is a lady.

Heard learned Spl. P.P also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the appellant, in the event of arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, be released on bail upon furnishing bail bond of Rs. 25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned 1st Addl. Sessions Judge, Saran at Chapra in ABP No. 2497 of 2018 arising out of Parsa P. S. Case No. 189 of 2016 ; subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure with further condition that appellant shall co-operate in the investigation and make herself available as and when required by the police and on the event of failure on her part to appear before the police on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of her bail bonds.

Accordingly, the appeal is allowed and the impugned



order is set aside.

(Vinod Kumar Sinha, J)

sujit/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	
Transmission Date	

