

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2646 of 2019

Arising Out of PS. Case No.-314 Year-2018 Thana- SURSAND District- Sitamarhi

1. SHIV KALI DEVI Wife of Umesh Sah Resident of Village-Piparadhi, Police Station-Sursand, District-Sitamarhi.
2. Shobhit Sah Son of Manjan Sah @ Majan Sah Resident of Village-Piparadhi, Police Station-Sursand, District-Sitamarhi.

... .. Appellants

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Birendra Kumar
For the Respondent/s	:	Mr.Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

3 23-07-2019 Heard learned counsel for the appellants and learned Spl. PP for the State.

This is an appeal under Section 14(A)(2) of the SC/ST Act against the refusal of prayer for anticipatory bail vide order dated 24.05.2019 passed by learned A.D.J.-I cum Special Judge, SC/ST Act, Sitamarhi in Sursand P.S. Case No. 314 of 2018 registered under Sections 363, 366A and 372/34 of the Indian Penal Code and Section 3(2)(v) of the SC/ST Act.

Co-accused Ranjeet Sah is said to have kidnapped the minor daughter of the informant. When the informant approached the uncle of Ranjeet Sah namely Umesh Sah to make complain, the appellant no.1 who happens to be wife of



Umesh Sah and appellant no.2 relative of the said accused chiding him made him to leave the house.

It is submitted by learned counsel for the appellants that the appellants have no concern with the aforesaid occurrence. They have been falsely implicated in the case merely because they happen to be relative of co-accused Ranjeet Sah. Victim in her statement has not named the appellants in the occurrence rather she has stated that she has suo motu performed marriage with Ranjeet Sah and she is living with him and none had kidnapped her. Appellants have no criminal antecedent.

Learned Spl. PP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, let the above named appellants, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned A.D.J.-I cum Special Judge, SC/ST Act, Sitamarhi in connection with Sursand P.S. Case No. 314 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.



Accordingly, the impugned order is set aside and
appeal is allowed.

(Prakash Chandra Jaiswal, J)

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