

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4561 of 2018

Arising Out of PS. Case No.-60 Year-2018 Thana- SC/ST District- Sitamarhi

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1. Jugeswar Sahni Son of Nirsan Sahni
 2. Yogendra Sahni @ Bhogendra Sahni, Son of Jugeswar Sahni
 3. Sharmila Devi Wife of Yogendra Sahni@ Bhogendra Sahni
- All R/o Village Meghpur,P.S. Sursand,Distt.-Sitamarhi

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Ashok Kumar Jha
For the Respondent/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 29-01-2019

This is an appeal under Section 14A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer of anticipatory bail dated 19.09.2018 passed by the learned 1st Addl. Sessions Judge-cum-Special Judge, Sitamarhi in ABP No. 1753 of 2018/426 of 2018 arising out of SC/ST Sitamarhi P.S.Case No. 60 of 2018 registered under Sections 323, 341, 354 and 506/34 of the Indian penal Code and Sections 3(1)(r)(s)(w) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Allegation against the appellants is of abusing the informant by caste name and also calling her DAAIN and also assaulted her son.

Submission of learned counsel for the appellants is that as



a matter of fact, there was a Panchayati held with respect to grazing of field by her she-buffalo and informant was abused and for that the present case has been lodged however there is delay of more than ten days in lodging the FIR.

Heard learned Spl. P.P also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the appellants, 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) each with two sureties of the like amount each to the satisfaction of the learned 1st Addl. Sessions Judge-cum-Special Judge, Sitamarhi in ABP No. 1753 of 2018/426 of 2018 arising out of SC/ST Sitamarhi P.S.Case No. 60 of 2018; subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

Accordingly, the appeal is allowed and the impugned order is set aside with respect to them.

(Vinod Kumar Sinha, J)

sujit/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

