

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4380 of 2018

Arising Out of PS. Case No.-23 Year-2017 Thana- SC/ST District- Munger

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1. Munni Devi, Wife of Sanjay Sah,
 2. Mano Devi, Wife of Manoj Sah.
 3. Malti Devi, Wife of Kishore Sah,
- All are residents of Village- Sarobagh, Police Station- Darhara, District- Munger.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Rajesh Kumar
For the Respondent/s : Smt Usha Kumari No-1

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

- 3 03-01-2019 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 25.08.2018 passed by the Additional Sessions Judge 1st, Munger in ABP No. 1059 of 2018 arising out of ST/SC P. S. Case No. 23 of 2017 registered under Sections 323, 325, 341, 354, 504 and 506 of the Indian penal Code and Section 3(1)(r) (s)/3(w)(ii) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 .

Allegation as per the FIR is that informant was going to keep *Jalavan*, accused persons including the appellants intercepted and assaulted her and there is specific allegation



against the appellants of assault by *lathi, Jharu* and *Chappal* .

Submission of learned counsel for the appellants is that there is land dispute in between the parties for which a *Panchayati* was also held, which is annexure 2, with respect to use of *rasta* and all appellants are ladies.

Heard learned Spl. P.P also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the appellants, abovenamed, 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 Additional Sessions Judge 1st, Munger in ABP No. 1059 of 2018 arising out of ST/SC P.S.Case No. 23 of 2017; subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure with further condition that appellants shall co-operate in the investigation and make themselves available as and when required by the police and on the event of failure on their part to appear before the police on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of their bail bonds.



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

(Vinod Kumar Sinha, J)

sujit/-

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