

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.144 of 2020

Arising Out of PS. Case No.-18 Year-2019 Thana- SC/ST District- Jehanabad

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Safina Khatoon @ Sakina Khatoon Wife of Hannan Ansari Resident of
Village - Kurtha Dih, P.S. - Kurtha, District - Arwal.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Nitya Nand Neeraj, Advocate

For the Respondent/s : Mr. Binay Krishna, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 15-12-2020 This matter has been taken up in virtual Court proceeding.

Heard learned counsel for the parties.

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 for anticipatory bail vide order dated 05.12.2019 passed by the learned Additional Sessions Judge-I, Jehanabad, in connection with Arwal SC/ST Police Station Case No.18 of 2019 registered under Sections 341/323/379/504 of the Indian Penal Code and Section 3(i)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The main allegation of commission of offence under the provisions of Scheduled Castes and Scheduled



Tribes (Prevention of Atrocities) Act is against the husband of the appellant. The appellant is a female having no criminal antecedent. Ornamental allegation is that the appellant dragged the Sari of the informant and took out Rs.2,000/- (Two thousand) from her purse. Both sides are co-villagers.

Submission is that due to other trivial dispute false allegation is there.

In the aforesaid circumstance, non-grant of protection of anticipatory bail to a female would amount to failure of justice.

Hence, let the appellant, above named, in the event of her arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with the aforesaid case, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the appellant shall fully cooperate with the trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the appellant.



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

(Birendra Kumar, J)

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