

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.954 of 2020**

Arising Out of PS. Case No.-69 Year-2019 Thana- MANSAHI District- Katihar

1. RINGNI DEVI, Wife of Late Bhikhari Rishi
2. Nirmala Devi, Wife of Raj Kumar Rishi, Both are Resident of - Dumariya, Bishanpur, P.S.- Mansahi, Distt - Katihar.

... .. Appellant/s

Versus

THE STATE OF BIHAR

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Sanjeev Kumar Singh, Advocate
For the Respondent/s : Mr. Sadanand Paswan, Spl. P.P.

**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER**

2 01-06-2020 The matter has been taken up through Video Conferencing.

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 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for regular bail vide order dated 09.12.2019 passed by the learned 1st Additional Sessions Judge-cum-Special Judge, Katihar in connection with Mansahi P.S. Case No. 69 of 2019 registered under Sections 302, 201, 120(B)/34 of the Indian Penal Code as well as Sections 3(i)(r) (s)/3(2) of the SC/ST Act.

Appellant No. 1 and other family members are suspected to have committed the murder of husband of appellant



no. 1 for the reason that appellant no. 1 was carrying extra marital relationship.

Submission is that there is no eyewitness of the occurrence. Only suspicion is there just to harass the appellants. The motive alleged is not substantiated by any material on the record. Investigation of the case is already closed.

Considering the fact that only material is suspicion against the appellants and the appellants are females, let the appellants, above named, be released on bail on furnishing bail bonds of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with the aforesaid case, subject to the following conditions:-

(a) The appellants shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the appellants.

(b) Both the bailors shall be resident of the territorial jurisdiction of the learned court below.

(c) The appellants shall not leave the country without permission of the learned trial court.

If the appellants would not be able in furnishing sureties due to lockdown, they shall be provisionally released on



their personal bond and the provisional bail shall be confirmed only after production of the bailors within fifteen days of restoration of normal function of the Court.

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

(Birendra Kumar, J)

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