

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3754 of 2019**

Arising Out of PS. Case No.-127 Year-2019 Thana- KUSHESHWARASTHAN District-
Darbhanga

Kajal Devi w/o Saroj Mukhiya R/o Village Jafanpur P.S. K-Asthan Distt.
Darbhanga.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Sanjay Parasmani, Advocate
For the Respondent/s : Mrs.Usha Kumari 1 , SPP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

6 13-02-2020 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 15.07.2019 by the learned 1st Additional Sessions Judge-cum-Special Judge, SC/ST(Prevention of atrocities) Act, Darbhanga, in A.B.P. No. 1193/2019, arising out of Kusheshwarasthan P.S. case No. 127/2019 registered under Sections 147,148,149, 341, 323, 436, 504, 506 of the Indian Penal Code and Section 3(1) (r) (g) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities)Act,1989.

The FIR named nine accused persons including the



appellant Kajal Devi and other eight to ten unknown persons came to the house of the informant variously armed and they started hurling abuse and burnt the hut of the informant.

Learned counsel for the appellant submits that the allegation is not specific. Appellant is a female. She has got no Criminal antecedent. For trivial dispute between two neighbours, all the family members have been implicated male as well as female.

Considering the facts of this case especially that no specific allegation is there against appellant Kajal Devi, 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) each 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 investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the appellants.

The appellant shall not leave the country without



permission of the trial court.

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

(Birendra Kumar, J)

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