

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3913 of 2019

Arising Out of PS. Case No.-2163 Year-2016 Thana- COMPLAINT CASE District- Araria

1. BUCHCHU KANTI @ BUCHCHU MANDAL Son of Mishri Kanti
2. Kavita Devi W/o Buchchu Kanti @ Buchchu Mandal
Both Resident of Village- Amhara, P.S.- Forbisganj, District- Araria.

... .. Appellant/s

Versus

1. The State of Bihar
2. Bijli Devi wife of Kailash Paswan R/o village- Aamhara Tola, Laxminiya Tola, Ward no- 13 ,P.S.- Forbisganj, Dist- Araria

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Nishant Kumar Sinha, Adv
For the Respondent/s	:	Mr.Sadanand Paswan, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 24-02-2020 Heard learned counsel for the parties.

This is an appeal under Sections 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, against refusal of the prayer for anticipatory bail by order dated 06.08.2019 in Spl. SC/ST Case No.138 of 2018 arising out of Complaint Case No.2163-C of 2016 passed by the learned 1st Additional Sessions Judge, Araria registered under Sections 341,342,427,147,149 of the Indian Penal Code and Sections 3(2)(r) of the Scheduled Castes and Scheduled Tribes Act.

After some argument, learned counsel for the



appellants seeks permission to withdraw the appeal of appellant No.1-Buchchu Kanti @ Buchchu Mandal to facilitate him to surrender and pray for regular bail.

Prayer is allowed.

Appellant-Kavita Devi is a female. The allegation is general and omnibus.

Submission is that she has falsely been implicated alongwith the male accused just to be harassed in the case.

Considering the submission aforesaid, let the appellant No.2, 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 anticipatory bail on furnishing bail bond of Rs.20,000 (Twenty Thousand) 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 conditions as laid down under Section 438(2) of the Code of Criminal Procedure and further the appellants shall fully cooperate with the investigation/trial of the case and also the appellant No.2 shall not leave the country without permission of the learned Trial Court, failing which the court below shall be at liberty to cancel the bail bond of the appellant No.2.



Accordingly, this appeal is partly allowed and partly dismissed.

(Birendra Kumar, J)

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