

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4200 of 2019

Arising Out of PS. Case No.-12 Year-2018 Thana- SC/ST District- Araria

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1. MEERA DEVI, Wife of Mahanand Bishwas
 2. Kundan Kumar Son of Mahanand Bishwas, Both Resident of Village - Kharhat, Ward No. - 4, P.S. - Raniganj, District - Araria.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Sunil Kumar, Advocate

For the Respondent/s : Mr. Binay Krishna, Spl. P.P.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 24-02-2020 **Appellant No. 2 Kundan Kumar** seeks permission to withdraw this appeal against refusal of the prayer for anticipatory bail to surrender and pray for regular bail. Prayer is allowed and his appeal is dismissed.

Heard learned counsel for the appellant no. 1 and the learned Special Public Prosecutor for the State.

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 15.06.2019 in A.B.P. No. 1095 of 2019 passed by the learned 1st Additional Sessions Judge-cum-Special Judge, Araria in connection with Araria SC/ST P.S. Case No. 12 of 2018 corresponding to Spl. (SC/ST) Case No. 32 of 2018 registered under Sections 323, 354(B), 379, 504, 506/34



of the Indian Penal Code as well as Sections 3(1)(r) of the SC/ST Act.

Appellant No. 1 Meera Devi is a female. Main allegation is against husband of Meera Devi.

Considering the special protection given under the law to a female in the matter of grant of bail, let the appellant no. 1, above named, in the event of her arrest or surrender before the learned 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/- (rupees 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 subject to the following conditions:-

(a) The appellant no. 1 shall fully cooperate with the investigation/trial of the case, failing which the learned court below shall be at liberty to cancel the bail bond of the appellant no. 1.

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

(c) The appellant no. 1 shall not leave the country



without permission of the learned trial court.

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

(Birendra Kumar, J)

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