

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4772 of 2019**

Arising Out of PS. Case No.-278 Year-2019 Thana- MOTIHARI MUFASIL District- East Champaran

1. YASHODA DEVI, Wife of Pirthi Sahani
2. Sudamiya Devi @ Sudami Devi @ Sudariya Devi, Wife of Prem Sahani
3. Shriya Devi, Wife of Vinod Sahani
4. Prem Sahani, Son of Ramavatar Sahani
5. Pirthi Sahani, Son of Ramavatar Sahani
6. Vinod Sahani, Son of Ramavatar Sahani
7. Ramavatar Sahani @ Ramautar Sahani, Son of Late Shiv Sahani, All Residents of Village - Lakhaura Purwari Tola, P.S. - Lakhaura, District - East Champaran

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Umesh Chandra Verma, Advocate
For the Respondent/s	:	Mr. Usha Kumari-1, Spl. P.P.

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

Date : 14-02-2020

Appellant No. 5 Pirthi Sahani and appellant no. 7

Ramavatar Sahani @ Ramautar Sahani have already been arrested. Hence, their prayer for anticipatory bail is infructuous now.

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 27.08.2019 in A.B.P No. 2153 of 2019 passed by the



learned 1st Additional Sessions Judge-cum-Special Judge, S.C./S.T. (POA) Act, East Champaran, Motihari in connection with Mufassil (Lakhaura) P.S. Case No. 278 of 2019 registered under Sections 341, 323, 147, 448, 354(B), 504 of the Indian Penal Code as well as Sections 3(1)(r)(s)(w)(i) of the SC/ST Act.

Most of the offences alleged under the Indian Penal Code against the appellants are bailable. The allegations are general and omnibus.

In the circumstance, let the **appellants Yashoda Devi, Sudamiya Devi @ Sudami Devi @ Sudariya Devi and Shriya Devi**, who are females, having special consideration in the matter of grant of bail, be released on anticipatory bail, in the event of their arrest or surrender before the learned Court below within a period of thirty days from the date of receipt of the order, on furnishing bail bonds of Rs.20,000/- (rupees 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 subject to the following conditions:-

(a) The appellants Yashoda Devi, Sudamiya Devi @ Sudami Devi @ Sudariya Devi and Shriya Devi 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 appellants.

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

(c) The appellants Yashoda Devi, Sudamiya Devi @ Sudami Devi @ Sudariya Devi and Shriya Devi shall not leave the country without permission of the learned trial court.

Other appellants **Prem Sahani** and **Vinod Sahani** shall surrender and pray for regular bail and the prayer for bail shall be disposed of without being prejudiced by this order.

Accordingly, this appeal stands disposed of.

(Birendra Kumar, J)

Kundan/-

AFR/NAFR	N.A.
CAV DATE	N.A.
Uploading Date	17.02.2020
Transmission Date	17.02.2020

