

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5334 of 2019**

Arising Out of PS. Case No.-14 Year-2016 Thana- GOBARDHANA District- West
Champaran

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1. FAJIL MIAN Son of Haroon Mian
 2. Nasiba Khatoon @ Nasima Khatoon Wife of Fajil Mian
 3. Lalmuni Khatoon Daughter of Fajil Mian
- All are residents of Village - Bakwa Chandraul, P.S.- Gobardhana, Distt.-
West Champaran.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Chandra Mauli Chaurasia, Advocate
For the Respondent/s : Mrs. Usha Kumari 1, SPP

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

3 20-02-2020 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 25.09.2019 by the learned 1st Additional Sessions Judge-cum-Special Judge (S.C./S.T./POCSO Act), Bettiah, West Champaran, in Gobardhana Police Station Case No.14 of 2016, registered under Sections 341/323/324/504/506/34 of the Indian Penal Code and Sections 3(i)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

After some argument learned counsel for the



appellants seeks permission to withdraw the appeal, of Fajil Mian against whom allegation is of commission of assault on the head of the informant with a sharp cutting weapon, to facilitate him to surrender and pray for regular bail.

Prayer is allowed.

Other appellants are female and allegation is general and omnibus. The offences of the Indian Penal Code alleged against the remaining two appellants are bailable.

Hence, let the appellants, namely, Nasiba Khatoon @ Nasima Khatoon and Lalmuni Khatoon, in the event of their 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 appellants shall fully cooperate with the trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the appellants.

The appellants shall not leave the country without



permission of the trial Court.

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

(Birendra Kumar, J)

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