

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5508 of 2019

Arising Out of PS. Case No.-38 Year-2016 Thana- SC/ST District- Madhubani

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1. PALAS DEVI W/o Indradev Goit @ Mala Goit @ Indra Kumar Goit
 2. Indradev Goit @ Mala Goit @ Indra Kumar Goit Son of Late Jeevachh Goit @Bhola Yadav
Both Resident of Village - Sukki Dih, P.S.- Khajauli, Distt.- Madhubani.

... .. Appellant/s

Versus

1. The State of Bihar
2. Rani Devi W/o Ranit Safi Resident of Village - Sukki, P.S.- Khajauli, Distt.- Madhubani.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Ravindra Kumar Singh, Adv
For the Respondent/s : Mr.Binay Krishna, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 06-02-2020 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 21.11.2019 in A.B.P. No.1599 of 2019 passed by the learned 1st Additional Sessions Judge, Madhubani in connection with SC & ST P.S.Case No. 38 of 2016 corresponding to G.R.No.1978 of 2016 registered under Sections 341,323,354(B),504 and 34 of the Indian Penal Code and Sections 3(i)(r)(s)/W(ii),3(I)(X)(XI) of the Scheduled Castes and Scheduled Tribes Act.



The offences of the Indian Penal Code alleged against the appellants are bailable. After investigation, the police submitted final report under Section 173 Cr.P.C. as allegation untrue.

The aforesaid material is sufficient to say that this is not a fit case wherein the appellants should be compelled to go to jail. Appellants are female.

Learned counsel for the informant submits that the learned Special Judge has already taken cognizance after differing with the police report.

Considering the result of the investigation, let the appellants, above named, 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 anticipatory bail on furnishing bail bond of Rs.20,000 (Twenty Thousand) each 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 trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the appellants.



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

(Birendra Kumar, J)

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