

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.580 of 2020

Arising Out of PS. Case No.-66 Year-2015 Thana- KASMA District- Aurangabad

1. RENU SUMAN Wife of Sunil Kumar
2. Sunil Kumar Son of Shaligram Bhagat
3. Ravindra Kumar Son of Shaligram Bhagat
All resident of Village - Pokhnaur, P.S.- Kasma, District - Aurangabad.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Shailesh Kumar Singh, Adv.
For the Respondent/s : Mr. Binay Krishna, Spl. P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 04-03-2021 Heard both sides.

The appellants filed this appeal under Section 14(A) (2) of the S.C./S.T. Act against the order dated 21.01.2020 passed by learned 1st Additional Sessions Judge-cum-Special Judge(SC/ST), Aurangabad by which the anticipatory bail of the appellants has been rejected in Kasma Case No.66 of 2015 registered under Sections 341, 323, 379, 504, 506 and 34 of the Indian Penal Code and under Section 3(i)(x) of the S.C./S.T. Act.

The informant, In-charge of Middle School, Pakhnaur alleged that Shaligram Bhagat was earlier In-charge Headmaster of the school and he asked him to make his daughter-in-law,



Renu Suman(appellant No.1) as In-charge Headmaster. The informant told that he cannot make her In-charge Headmaster and if you want to make Renu Suman as In-charge Headmaster, the informant has got no objection but on such reply, Shaligram Bhagat abused the informant and assaulted him. Sunil Kumar and Ravindra Kumar(appellant Nos.2 and 3) are also alleged to have assaulted the informant and pressed his neck. Thereafter they snatched wrist watch from his possession.

The learned counsel for the appellants submits that there is no allegation of abuse and assault against the appellant No.1. Appellant Nos.2 and 3 are not alleged to have abused the informant by naming his caste but it appears from perusal of the F.I.R. itself that appellant No.2 assaulted the informant and appellant No.3 snatched his wrist watch.

Taking into consideration the facts aforesaid and nature of allegation made against the appellant Nos.2 and 3 duly supported by many of the witnesses, I am not inclined to enlarge the appellant Nos.2 and 3 on anticipatory bail. Accordingly, the same is dismissed and the appeal filed on behalf of appellant Nos.2 and 3 is also dismissed.

So far as the case of Renu Suman(appellant No.1) is concerned, she is not named in the F.I.R. and the informant did



not make any allegation against her. Accordingly, I find that she deserves anticipatory bail and thus, the appeal filed on behalf of the appellant No.1 is allowed. The order dated 21.01.2020 is set aside to that extent and let the appellant No.1, above named, in the event of her arrest or surrender within a period of four weeks be released on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 1st Additional Sessions Judge-cum-Special Judge(SC/ST), Aurangabad in connection with Kasma P.S. Case No.66 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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