

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2163 of 2020

Arising Out of PS. Case No.-15 Year-2020 Thana- SC/ST District- Siwan

Meera Devi W/o Asharfi Sah, R/o village- Patar, P.S.- Raghunathpur, District-
Siwan. Appellant/s

Versus

The State of Bihar Respondent/s

Appearance :

For the Appellant/s : Mr. Jagjit Roshan
For the Respondent/s : Mr. A.G.

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 26-02-2021 Heard learned counsel for the appellant and learned
counsel for the State.

The appeal is admitted.

This is an appeal under section 14 (A) (2) of the Scheduled Castes and Schedules Tribes (Prevention of Atrocities) Act, 1989, against the refusal of prayer for bail vide order dated 27.08.2020 passed by 1st Additional District and Sessions Judge-cum-Special Judge, Siwan in connection with SC/ST P.S. Case No.15 of 2020 registered for offence punishable under sections 341, 323, 379, 504, 506/34 of the Indian Penal Code and sections 3 (i) (r) (s) (w), 3 (2) (va) of the SC/ST (POA) Act whereby and whereunder the prayer for anticipatory bail made on behalf of the appellant has been rejected.

Allegation has been made that on the fateful day, on account of land dispute, accused persons assembled and started hurling abuses by taking caste name and also assaulted the victim.



Learned counsel for the appellant submits that the case has been filed to settle the score with respect to civil dispute, inasmuch as, there is delay of nine days in lodging the FIR.

Looking to the facts and circumstances of the case, the impugned order dated 27.08.2020 is set aside and the appellant above named, in the event of arrest or surrender before the court below within six weeks from today, is directed to be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of 1st Additional District and Sessions Judge-cum-Special Judge, Siwan in connection with SC/ST P.S. Case No. 15 of 2020, subject to the condition that one of the bailors of the appellant shall be her close relative. The appellant will not induce any witness or tamper with the evidence. The appellant shall cooperate in the disposal of trial and make herself available as and when required by the court. In case of failure on two consecutive dates without any valid reason, the court below shall be at liberty to cancel the bail bonds of the appellant.

Accordingly, this appeal is allowed.

(Shivaji Pandey, J)

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