

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.813 of 2022

Arising Out of PS. Case No.-48 Year-2021 Thana- BHANGHA District- West Champaran

1. Hushalbani Khatoon Wife of Majid Mian Resident of Village - Kotwa, P.S.- Bhangaha, District - West Champaran.
2. Sehbuni Khatoon Wife of Muslim Mian Resident of Village - Kotwa, P.S.- Bhangaha, District - West Champaran.

... .. Appellant/s

Versus

1. The State of Bihar
2. Hirmati Devi wife of Sri Mahesh Manjhi R/o vill- Kotwa, P.S.- Bhangha, Dist- West Champaran

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Umesh Chandra Verma
For the Respondent/s : Mr.Yogendra Kumar

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

7 27-04-2023 Despite valid service of notice on respondent no.2, she did not appear.

Heard learned counsel for the appellants namely, Hushalbani Khatoon and Sehbuni Khatoon and learned Special Public Prosecutor for the State.

This appeal has been preferred against the order dated 21.01.2022 passed by learned 1st Additional Sessions Judge -cum-Special Judge (SC/ST Act), Bettiah, West Champaran in A.B.P. No.2626 of 2021 arising out of Bhangaha P.S. Case No.48 of 2021 registered under Sections 341, 323, 386, 504 and 34 of the Indian Penal Code and Sections 3(i)(r)(g)/3(2)(va) of



the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act by which the prayer for anticipatory bail of the appellants has been rejected.

Learned counsel for the appellants submits that the appellants are innocent and have falsely been implicated in this case. He further submits that no specific allegation is made against the appellants, who are women.

Considering the facts and circumstances of the case as well as the submissions made by the parties, let the appellants, above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt of this order, be released on bail on furnishing personal bonds to the satisfaction of 1st Additional Sessions Judge -cum- Special Judge (SC/ST Act), Bettiah, West Champaran in A.B.P. No.2626 of 2021 arising out of Bhangaha P.S. Case No.48 of 2021 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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

(Arvind Srivastava, J)

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