

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2978 of 2017

Arising Out of PS.Case No. -484 Year- 2015 Thana -RUNISAIDPUR District- SITAMARHI

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1. Anita Devi, W/o Raj Mangal Paswan,
2. Saraswati Devi W/o Ram Jinish Paswan,
3. Kailash Paswan S/o Julmi Paswan All R/o Village- Baghauni, P.S.-
Runni Saidpur , District- Sitamarhi.

.... Appellants

Versus

The State of Bihar

.... Respondent

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Appearance :

For the Appellant/s : Mr. Sanjay Kumar, Adv.

For the Respondent/s : Mr. Binay Krishna, SPP.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 19-12-2017

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 the learned 1st Additional District Judge-cum-Special Judge, Sitamarhi in connection with Runni Saidpur P.S.Case No. 484 of 2015 registered under Sections 364,366(A), 120 B of the Indian Penal Code.

The appellants are also members of the scheduled castes. Hence, the offence of Section SC/ST Act is not attracted against the appellants. As such, bar under Section 18 of the SC/ST Act is not attracted.

Considering the remaining allegation, 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 Runni Saidpur P.S.Case No. 484 of 2015, 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 investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the appellants.

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

(Birendra Kumar, J)

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