

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2827 of 2017

Arising Out of PS.Case No. -405 Year- 2017 Thana -DANAPUR District- PATNA

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Manti Devi @ Manita Devi W/o Late Santosh Kumar, R/o Mohalla- Behind
Lane of Tample, Batha Road, P.S.- Danapur, District- Patna.

.... Appellant

Versus

The State of Bihar

.... Respondent

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Appearance :

For the Appellant/s : Mr. Ghanshyam Tiwary, Adv.

For the Respondent/s : Mr. Sri Sadanand Paswan, SPP.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

6 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 Additional District Judge 2nd -cum- Special Judge S.C./S.T. Act, Patna in connection with Danapur P.S.Case No. 405 of 2017 registered under Sections 341, 504, 307/34 of the Indian Penal Code and 27 of Arms Act as well as 3(i) (x) of the Scheduled Castes and Scheduled Tribes Act.

Main allegation is against co-accused Vikash Kumar of firing at the informant and abusing him by taking his caste name.

Allegation against the appellant is that the



appellant was instrumental in firing caused by Vikash Kumar.

Considering the nature of allegation against the appellant, in my view, apparently the bar under Section 18 of the SC/ST Act is not attracted.

Above named appellant is a female, hence, in the event of her 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) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Danapur P.S.Case No. 405 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the appellant 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 appellant.

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

(Birendra Kumar, J)

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