

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3176 of 2017

Arising Out of PS.Case No. -727 Year- 2016 Thana -PHULWARI District- PATNA

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1. Bishundev Prasad @ Bishnudeo Prasad, son of Mishri Saw, resident of Mohalla- Korzi Mohammadpur, Police Station- Phulwari Sharif, District- Patna.

2. Pintu Kumar @ Pintu Saw, son of Bishundev Prasad, resident of Mohalla- Korzi Mohammadpur, Police Station- Phulwari Sharif, District- Patna.

.... Appellants

Versus

1. The State of Bihar.

2. Savitri Devi, wife of Mandev Ravidas, resident of Mohalla- Korzi Mohammadpur, Police Station- Phulwari Sharif, District- Patna.

.... Respondents

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Appearance :

For the Appellant/s : Mr. Anil Kumar Srivastava, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 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 & Sessions Judge 2nd – cum-Special Judge, SC/ST Act, Patna in connection with Phulwarisharif P.S.Case No. 727 of 2016 registered under Sections 3(1)G of the SC/ST Act as well as under Sections 341,323,504,506/34 of the Indian Penal Code.

It appears that co-accused, Chandravati Devi has already been allowed anticipatory bail by a Coordinate Bench



of this Court in Cr. Appeal (SJ) No. 3090 of 2017 on 29.11.2017 vide Annexure-7 to the supplementary affidavit for the reason that no offence under any sections of the SC/ST Act is made out on bare perusal of the supplementary affidavit.

Hence, 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) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Phulwarisharif P.S.Case No. 727 of 2016, 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.

(Birendra Kumar, J)

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