

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3546 of 2017

Arising Out of PS.Case No. -9 Year- 2017 Thana -JHANJHARPUR District- MADHUBANI

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1. Surendra Mohan Das @ Mohan Das, son of late Ramapati Lal Das, resident of village- Gangapur, P.S. Laknour, Anchal Laknour, District- Madhubani
 2. Lalan Jha S/o. Rajendra Jha, resident of village- Kanhauli, P.S. Jhanjharpur, District- Madhubani.

.... Appellant/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Md. Nazir Ansari, Advocate

For the Respondent/s : Smt Usha Kumari No-1, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 08-01-2018 Supplementary affidavit has been filed on behalf of the appellants.

Heard learned counsel for the parties.

This is an appeal under Section 14(A) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer for anticipatory bail by the learned 1st Additional Sessions Judge, Madhubani, in connection with Jhanjharpur Police Station Case No.9 of 2017, registered under Sections 341/323/354/353/504/506/34 of the Indian Penal Code and Sections 3(i) (r) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

According to F.I.R., the appellants allegedly entered into the office of Sub-Registrar, Jhanjharpur, the informant of this



case, and abused and misbehaved with her.

Learned counsel for the appellants submits that the F.I.R. does not disclose that any offence was committed against a member of the scheduled caste or the offence was allegedly committed in public view. Hence, bar under Section 18 of the SC/ST Act is not attracted.

Considering the entire facts, 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 bail on furnishing bail bonds of Rs.20,000/- (Twenty Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with the aforesaid case, 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, the appeal stands allowed.

(Birendra Kumar, J)

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