

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Appeal (SJ) No.3594 of 2017**

Arising Out of PS.Case No. -242 Year- 2017 Thana -SARAIYA District- MUZAFFARPUR

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1. Manorma Devi, Wife of Ripu Sudan Shahi, resident of Village- Muja  
Malikana, P.S.- Saraiya, (O.P.- Jaintpur), District- Muzaffarpur.  
2. Rajan Sahi, Son of Krishna Kumar, Resident of Village Gaura, P.S.-  
Paroo, District- Muzaffarpur.

.... .... Appellants

Versus

The State of Bihar.

.... .... Respondent

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**Appearance :**

For the Appellant/s : Mr. Yugal Kishore, Adv.

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

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**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR**  
**ORAL ORDER**

3      02-02-2018

Heard learned counsel for the parties.

This is an appeal under Sections 14(A)(ii) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, against refusal of the prayer for anticipatory bail by the learned 10<sup>th</sup> Additional Sessions Judge-cum-Special Judge, SC/ST Act, Muzaffarpur in connection with Saraiya (Jaitpur O.P.) P.S.Case No. 242 of 2017 registered under Sections 341,323,324,325,307/34 of the Indian Penal Code as well as under Sections 3(1)(x) of the Scheduled Castes and Scheduled Tribes Act and 27 of Arms Act.

The allegation of commission of firearm injury is against co-accused Ramanuj Sahi. In the subsequent occurrence, the appellants are said to have abused the



informant at her house.

Submission is that no occurrence took place in public view. Hence, bar under Section 18 of the S.C./S.T Act is not applicable in the matter of appellants.

Finding substance in the submission aforesaid, 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 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, this appeal stands allowed and the impugned order is set aside.

**(Birendra Kumar, J)**

Nitesh/-

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