

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2127 of 2018

Arising Out of PS. Case No.-13 Year-2018 Thana- SC/ST District- Katihar

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1. Geeta Devi, W/o Manoj Poddar,
 2. Manoj Poddar, Son of Late Sukdeo Poddar,
 3. Bishwanath Poddar, Son of Jagganath Poddar, All are resident of village- Sonaili, P.S.- Kadwa, District- Katihar.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Abhay Kumar Singh
For the Respondent/s : Mr. Binay Krishna

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 25-07-2018

Heard learned counsel for the parties.

This is an appeal under Section 14(A) (2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for anticipatory bail vide order dated 15.05.2018 passed by the learned Special Judge, Katihar in A.B.P. No.29 of 2018, arising out of SC/ST Katihar Police Station Case No.13 of 2018 registered under Sections 341, 323, 354, 504, 506/34 of the Indian Penal Code and Section 3(1)(s)(r) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Appellant No.1, *Geeta Devi* had lodged Kadwa Police Station Case No.176 of 2014 for the offences under Sections 406, 420/34 of the Indian Penal Code against the informant and her husband and others.



In the aforesaid background, the present F.I.R. was lodged in the year, 2018 with allegation that abuse and assault was committed while the informant had gone to complain.

Considering the background and nature of 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 bail on furnishing bail bonds of Rs.20,000/- (Rupees 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 conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the appellants shall fully co-operate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bonds of the appellants.

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

(Birendra Kumar, J)

abhishek/-

AFR/NAFR	N.A.
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