

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4014 of 2018

Arising Out of PS. Case No.-44 Year-2018 Thana- SC/ST District- Jamui

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1. Putul Devi, W/o Shankar Saw,
 2. Shankar Saw, Son of Late Biran Saw,
 3. Maruti Saw, Son of Shankar Saw, All are resident of Village-
Lakhanpur, Police Station- Jamui, District- Jamui.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Vijay Kumar, Adv
For the Respondent/s : Mr. Smt Usha Kumari No-1, SPP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 18-12-2018

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 order dated 14.09.2018 in A.B.P. No.947 of 2018 (arising out of Jamui SC/ST Case No.44 of 2018) passed by the learned Additional District and Sessions Judge I, Jamui registered under Sections 366(a)/34 of the Indian Penal Code and Sections 3(i)(r) of the Scheduled Castes and Scheduled Tribes Act.

The victim girl in her statement under Section 164 Cr.P.C. has alleged commission of her kidnapping by co-accused-Niraj Saw and commission of physical relation by Niraj Saw.



Since the victim has not named the appellants, who are family members of Niraj Saw, 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 and further 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 impugned order is set aside and this appeal stands allowed.

(Birendra Kumar, J)

Nitesh/-

AFR/NAFR	NAFR
CAV DATE	NA
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