

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.90 of 2018

Arising Out of PS.Case No. -75 Year- 2017 Thana -KHAIRA District- JAMUI

- =====
1. Jai Malakar, Son of Late Nunu Lal Malakar,
 2. Santosh Malakar @ Santosh Kumar Malakar,
 3. Tuntun Kumar @ Tuntun Malakar, Both sons of Jai Malakar,
 4. Anita Devi, Wife of Jai Malakar, All resident of Village- Kurwatanr,
P.S.- Khaira, Dist- Jamui.

.... Appellant/s

Versus

1. The State of Bihar.
2. Sita Ram Manjhi, S/o Kesho Manjhi, resident of Village- Kurwatanr,
P.S.- Khaira, Dist- Jamui.

.... Respondent/s

=====

Appearance :

For the Appellant/s : Mr. Prabhat Ranjan Singh

For the Respondent/s : Mr. Sri Sadanand Paswan

=====

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 11-01-2018

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 by the learned 1st Additional Sessions Judge, Jamui in Khaira P.S. Case No. 75 of 2017 registered under Sections 341, 323, 354B, 406, 420, 504/34 of the Indian Penal Code as well as Sections 3(x) of the SC/ST Act.

Learned counsel for the appellants submits that appellants Jai Malakar, Santosh Malakar @ Santosh Kumar Malakar and Tuntun Kumar @ Tuntun Malakar are ready to



surrender and pray for regular bail. Hence, their appeal be disposed of.

So far appellant no. 4 Anita Devi is concerned, there is no allegation under the provisions of the SC/ST Act against her, hence, let the appellant no. 4, above named, in the event of her 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 bond of Rs.20,000/- (rupees twenty thousand) 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 appellant no. 4 shall fully cooperate with the investigation and trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the appellant no. 4.

Accordingly, this appeal stands disposed of.

(Birendra Kumar, J)

Kundan/-

U		T	
---	--	---	--

