

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3481 of 2017

Arising Out of PS.Case No. -15 Year- 2017 Thana -SC/ST District- MUNGER

- =====
1. Rekha Devi, Wife of Anil Kumar Mandal,
 2. Rajan Kumar Chaurasiya, Son of Late Krishnadeo Mandal, Both residents of Nayagaon Thakurbari Road, P.S. East Colony, Jamalpur, District- Munger.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Rajesh Kumar

For the Respondent/s : Mr. Sri Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 10-01-2018

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 Additional Sessions Judge-1st, Munger in SC/ST P.S. Case No. 15 of 2017 registered under Sections 341, 323, 354, 379, 504/34 of the Indian Penal Code as well as Section 3(1)(r)(s)(p)/3(1)(w)(i) of the SC/ST Act.

Since the informant had purchased some land from the co-sharer of the appellants, the appellants, allegedly, entered into the house of the informant and committed abuse and assault.



Learned counsel for the informant opposed the prayer for bail.

Considering the fact that FIR does not disclose that the occurrence took place in public view, the bar under Section 18 of the SC/ST Act is not attracted against the appellants, hence, 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 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 and 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.

(Birendra Kumar, J)

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