

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.480 of 2018

Arising Out of PS.Case No. -304 Year- 2017 Thana -BANMANKHI District- PURNIA

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1. Suresh Mandal, Son of Late Shanichar Mandal.
 2. Mala Devi, Wife of Binod Mandal.
 3. Sudha Devi, Wife of Chandan Mandal, All are resident of Village-Dhokardhara, P.S. Banmankhi, District - Purnea.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Shailesh Kumar Singh

For the Respondent/s : Mr. Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 19-02-2018

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-cum-Special Judge (S.C./S.T.), Purnea in SC/ST Case No. 352 of 2017 arising out of Banmankhi P.S. Case No. 304 of 2017 registered under Sections 341, 323, 427/34 of the Indian Penal Code as well as Section 3(v)(x) of the SC/ST Act.

FIR would reveal that due to land dispute, the appellants, allegedly, committed abuse and assault.

I find substance in the submission of the learned counsel for the appellants that the offences under the provisions of



the SC/ST Act are not attracted, 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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