

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.652 of 2018

Arising Out of PS.Case No. -36 Year- 2015 Thana -SC/ST District- SITAMARHI

=====

1. Madan Sah, Son of Rajendra Sah, Resident of Village- Gauri, P.S.-
Nanpur, District- Sitamarhi.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

=====

Appearance :

For the Appellant/s : Mr. Pushpendra Kumar Singh, Advocate
For the Respondent/s : Mr. Sadanand Paswan, SPP

=====

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 26-03-2018

Heard learned counsel for the parties.

This is an appeal under Section 14(A) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer for anticipatory bail by the learned Special Judge, Sitamarhi, in connection with Sitamarhi (SC/ST Act) Police Station Case No.36 of 2015 registered under Sections 341/323/354/504/34 of the Indian Penal Code and Section 3(1)(x)(xi) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The informant was a cook in the school. She was absent for some period. However, after reopening of the school, she came to join the work. The Principal co-accused Chanchal Kumar informed that she has already been removed. Thereafter, she demanded her wages and for that dispute, the main allegation is against the Principal of commission of abuse and assault knowing that the informant is a member of scheduled caste.



Considering the nature of the case and the fact that the Principal, Chanchal Kumar, has already been allowed anticipatory bail by a coordinate Bench of this Court vide order dated 05.04.2016 passed in Cr.Misc. No.13309 of 2016. The appellants were member of the committee which had removed the informant from service.

Considering the aforesaid facts, let the appellant, above named, in the event of his 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/- (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 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 appellant.

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

(Birendra Kumar, J)

Mkr./-

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

