

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3578 of 2017

Arising Out of PS.Case No. -91 Year- 2017 Thana -KAKO District- JEHANABAD

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1. Anita Devi, Wife of Birendra Mistri Resident of Village- Barbatta, P.S. Kako, District- Jehanabad.
 2. Soni Kumari Daughter of Birendra Mistri Resident of Village- Barbatta, P.S. Kako, District- Jehanabad.
 3. Poonam Kumari Daughter of Birendra Mistri Resident of village- Barbatta, P.S. Kako, District- Jehanabad.

.... Appellant/s

Versus

1. The State of Bihar.
2. Munni Devi Wife of Fekan Choudhary Resident of Village- Barbatta, P.S. Kako, District- Jehanabad.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Vinay Mistry

For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 09-01-2018

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, Jehanabad in Kako P.S. Case No. 91 of 2017 registered under Sections 147, 148, 149, 341, 323, 504, 506, 307, 379 of the Indian Penal Code as well as Section 3(1)(r) of the SC/ST Act.

There is case and counter case. The appellants’



female members of the family and the male members are accused in the case. Allegation is of commission of assault.

Submission is that there is general and omnibus allegation against the appellants.

Considering the nature of allegation and the fact that the appellants are females as well as the fact that there is no specific allegation under the SC/ST Act against the appellants , 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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