

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Appeal (SJ) No.239 of 2018**

Arising Out of PS.Case No. -70 Year- 2016 Thana -MAHILA PS District- GAYA

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1. Jairani Devi, W/o Dindayal Saw, Residing at Village- Parasiya, P.S.-  
Imamganj, District- Gaya. .... Appellant/s

Versus

1. The State of Bihar. .... Respondent/s

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**Appearance :**

For the Appellant/s : Mr. Deepak Kumar, Adv.

For the Respondent/s : Mr. Smt Usha Kumari No-1, SPP.

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**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR**  
**ORAL ORDER**

4      22-03-2018

Heard learned counsel for the parties.

This is an appeal under Sections 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, against refusal of the prayer for anticipatory bail by the learned A.D.J.-1<sup>st</sup>, Gaya in connection with POCSO Case No. 48 of 2016 (arising out of Mahila P.S.Case No.70 of 2016) registered under Sections 354(A), 323,506,504 of the Indian Penal Code, Section 12 of POSCO Act as well as under Sections 3(1)(x)(xii) of the Scheduled Castes and Scheduled Tribes Act.

The appellant is not named in the FIR.

During investigation, in the supervision note of Dy. S.P., name of the appellant surfaced. Appellant is a female.

Considering the fact that supervision note is no evidence in the eyes of law. Hence, let the appellant, 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 anticipatory bail on furnishing bail bond of Rs.20,000 (Twenty Thousand) with two sureties of the like amount each to the satisfaction of 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, this appeal stands allowed.

**(Birendra Kumar, J)**

Nitesh/-

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