

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3474 of 2017

Arising Out of PS.Case No. -81 Year- 2016 Thana -THAKURGANJ District- KISANGANJ

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1. Sarwati Devi, W/o Sunni Khawa @ Sanni Khuwa.
2. Manuka Devi, W/o Susil Kumar, Resident of Village- Khari Basti, P.S.-
Thakurganj, District- Kishanganj.

.... Appellants

Versus

The State of Bihar.

.... Respondent

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Appearance :

For the Appellant/s : Mr. Diwakar Sinha, Adv.

For the Respondent/s : Mr. Binay Krishna, SPP.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 05-01-2018

Heard learned counsel for the parties.

This is an appeal under Sections 14(A) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, against refusal of the prayer for anticipatory bail by the learned Special Judge, Kishanganj in connection with Thakurganj P.S.Case No. 81 of 2016 registered under Sections 341,323,324,34 of the Indian Penal Code as well as under Sections 3(i)(x) 2(v) of the Scheduled Castes and Scheduled Tribes Act.

For land dispute, the appellants and others allegedly committed assault against the informant and others. The FIR does not disclose ingredients of any offence under the provisions of SC/ST (Prevention of Atrocities) Act to attract the bar under Section 18 of the Act.



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 anticipatory bail on furnishing bail bond of Rs.20,000 (Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Thakurganj P.S. Case No. 81 of 2016, 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/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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