

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No. 1299 of 2018

Arising Out of PS.Case No. -8 Year- 2017 Thana -MAIGRA District- GAYA

- =====
1. Lalita Devi, Wife of Preman Bhuiyan,
 2. Pravesh Bhuiyan, Son of Bilash Bhuiyan, Both resident of Village- Naghari,
P.S.- Maigra, District- Gaya.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr.

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 14-05-2018

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 Special Judge (S.C./S.T. Act), Gaya in Maigra P.S. Case No. 08 of 2017 registered under Sections 147, 148, 323, 325, 307, 504 of the Indian Penal Code, Section 3/4 of the Prevention of Witch (daain) Practices Act, 2001 as well as Section 3(1)(b) of the SC/ST Act.

Submission is that the informant is eye-witness of the occurrence. Other co-accused are named in the FIR but the appellants are not therein. Name of the appellants has surfaced during investigation in the report of the Supervising Authority.



Considering the aforesaid fact, 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, the impugned order is set aside and this appeal stands allowed.

(Birendra Kumar, J)

Kundan/-

AFR/NAFR	N.A.
CAV DATE	N.A.
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