

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2373 of 2018

Arising Out of PS. Case No.-13 Year-2018 Thana- PAKARIBARAW District- Nawada

1. Chinta Devi, W/o- Ram Balak Yadav.
2. Vikash Kumar, S/o- Ram Balak Yadav Both are resident of Village- Kachna, P.S.- Pakribarawan, District- Nawada.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Arun Kumar Arun, Advocate

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

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date : 21-12-2018

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 against the refusal of prayer for anticipatory bail vide order dated 24.04.2018 passed by the learned 1st Additional Sessions Judge-cum-Special Judge, Nawada, in A.B.P. No.549 of 2018, arising out of Pakribarwan Police Station Case No.13 of 2018, registered under Sections 341/323/353/384/504/506/34 of the Indian Penal Code and Section 3(i)(r) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Appellant No.2 Vikash Kumar has already been arrested in the case. Hence, his prayer for anticipatory bail is infructuous now.

Considering the general and omnibus nature of



allegation against appellant No.1 Chinta Devi, who is mother of appellant No.2 Vikash Kumar, and Chinta Devi has stated on oath that she has got no criminal antecedent, let her, 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 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 the appeal is allowed.

(Birendra Kumar, J)

Mkr./-

AFR/NAFR	NAFR
CAV DATE	NA
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