

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4399 of 2019

In
CRIMINAL MISCELLANEOUS No.54602 of 2019

Arising Out of PS. Case No.-153 Year-2019 Thana- WARISLIGANJ District- Nawada

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1. GAYA RAUT, Son of Mohan Raut
 2. Mochan Raut, Son of Mohan Raut
 3. Guddu Raut, Son of Gaya Raut
 4. Rani Devi, Wife of Mohan Raut
 5. Soni Devi, Wife of Guddu Raut, All Resident of Village - Sour Dareyapur,
P.S. - Warisaliganj, District - Nawada.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Prem Ranjan Kumar, Advocate
For the Respondent/s : Mr. Usha Kumari 1, Spl. P.P.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 17-02-2020

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 vide order dated 31.05.2019 in A.B.P. No. 622 of 2019 passed by the learned 1st Additional Sessions Judge-cum-Special Judge, Nawada in connection with Warisaliganj P.S. Case No. 153 of 2019 registered under Sections 341, 323, 354(B), 379, 448, 504/34 of the Indian Penal Code as well as Sections 3(1)(r)(s), 3(2)(v) of the SC/ST Act.



The complaint based allegation would reveal that the allegation is general and omnibus.

Considering the aforesaid fact as well as the fact that **appellant no. 4-Rani Devi** and **appellant no. 5-Soni Devi** are females and they have got special protection in the matter of grant of bail, therefore, they are directed to be released on anticipatory bail, in the event of their arrest or surrender before the learned Court below within a period of thirty days from the date of receipt of the order, on furnishing bail bond 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 subject to the following conditions:-

(a) The appellant no. 4 and 5 shall fully cooperate with the investigation/trial of the case, failing which the learned court below shall be at liberty to cancel the bail bond of the appellant no. 4 and 5.

(b) Both the bailors shall be resident of the territorial jurisdiction of the learned court below.

(c) The appellant no. 4 and 5 shall not leave the country without permission of the learned trial court.



Other appellants **Gaya Raut, Mochan Raut and Guddu Raut** may surrender and pray for regular bail.

With the aforesaid observation, this appeal stands partly allowed and partly dismissed.

(Birendra Kumar, J)

Kundan/-

AFR/NAFR	N.A.
CAV DATE	N.A.
Uploading Date	19.02.2020
Transmission Date	19.02.2020

