

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4866 of 2019

Arising Out of PS. Case No.-138 Year-2019 Thana- PANCHRUKHI District- Siwan

1. ASHOK YADAV Son of Shiv Narain Yadav
2. Kalawati Devi Wife of Ramashary Yadav
3. Chinta Devi Wife of Indal Yadav
4. Deepak Kumar Son of Indal Yadav
5. Indal Yadav Son of Late Ram Subhag Yadav
6. Guddu Yadav Son of Ramashary Yadav, All are R/O - Hardiya Mishra Tola,
P.S. - Pachrukhi, District- Siwan

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Chandra Kant, Advocate

For the Respondent/s : Mr. Sadanand Paswan, Spl. P.P.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 05-03-2020 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 19.08.2019 in A.B.P. No. 1257 of 2019 passed by the learned 1st Additional Sessions Judge-cum-Special Judge, Siwan in connection with Pacharukhi P.S. Case No. 138 of 2019 registered under Sections 447, 341, 323, 325, 354, 504, 506/34 of the Indian Penal Code as well as Sections 3(1)(r), 3(1)(s) of the SC/ST Act.



After some argument, learned counsel for the appellants seeks permission to withdraw this appeal by appellants Ashok Yadav, Deepak Kumar, Indal Yadav and Guddu Yadav to facilitate them to surrender and pray for regular bail.

Prayer is allowed.

Since there is no specific allegation against appellants Kalawati Devi and Chinta Devi and they are female having special protection in the matter of consideration of prayer for bail, to prevent the miscarriage of justice, let the appellant **Kalawati Devi and Chinta Devi**, 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, be released on anticipatory bail 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 nos. 2 and 3 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 nos. 2 and 3.

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

(c) The appellant nos. 2 and 3 shall not leave the country without permission of the learned trial court.

Accordingly, this appeal stands disposed of.

(Birendra Kumar, J)

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