

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5913 of 2019

Arising Out of PS. Case No.-637 Year-2019 Thana- NAUBATPUR District- Patna

1. BABY DEVI @ INDU DEVI Wife of Laleshwar Yadav
2. Manisha Kumari @ Bubbly Kumari D/O - Laleshwar Yadav
3. Ashok Kumar @ Ashok Yadav Son of Rajendar Yadav
4. Nitish Kumar Son of Laleshwar Yadav
All Residents of Village - Samanpur, P.S.- Naubatpur, District- Patna

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Saroj Kumar Sharma, Advocate
For the Respondent/s : Mr.Binay Krishna, SPP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 26-02-2020 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 against the refusal of prayer for anticipatory bail vide order dated 27.11.2019 passed by the learned Additional Sessions Judge-XX-cum-Special Judge (S.C./S.T. Act), Patna, in Naubatpur Police Station Case No.637 of 2019, registered under Sections 341/323/504/34 of the Indian Penal Code and Sections 3(i)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

After some argument learned counsel for the appellants seeks permission to withdraw the appeal of appellant



No.3 Ashok Kumar @ Ashok Yadav and appellant No.4 Nitish Kumar to facilitate them to surrender and pray for regular bail.

Prayer is allowed.

Other appellants, namely, Baby Devi @ Indu Devi and Manisha Kumari @ Bubbly Kumari, are females having general and omnibus allegation of commission of the offences of the Indian Penal Code, which are bailable.

Hence, taking into consideration the special protection of law given to the females and others in the matter of consideration of prayer for bail, let the appellants, 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/- (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 trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the appellants.

The appellants shall not leave the country without



permission of the trial Court.

Accordingly, the impugned order is partly set aside
and the appeal is partly allowed and partly dismissed.

(Birendra Kumar, J)

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