

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2903 of 2017

Arising Out of PS.Case No. -100 Year- 2017 Thana -RIVILGANJ District- SARAN

- =====
1. Muner Rai, Son of Late Sawaru Rai.
 2. Rajendra Rai, Son of Devenarayan Rai.
 3. Devenarayan Rai , Son of late Rangai Rai.
 4. Rahul Rai, Son of Rambihari Rai.
 5. Moti Lal Rai, Son of Late Sawaru Rai.
 6. Chinta Devi, Wife of Late Raghuwar Rai.
 7. Manju Devi, Wife of Baliram Ray.
- All are resident of Village- Sengar Tola (Godha Mallah Toli), P.S.-
Revelganj, District-Saran.

.... Appellants

Versus

The State of Bihar

.... Respondents

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Appearance :

For the Appellant/s : Mr. Mrityunjay Kumar Tiwary, Adv.

For the Respondent/s : Mr. Sri Arun Kumar Pandey, SPP.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

5 19-12-2017

Heard learned counsel for the parties.

This is an appeal under Sections 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, against refusal of the prayer for anticipatory bail by the learned 1st Additional Sessions Judge, Saran at Chapra in connection with Revelganj P.S.Case No. 100 of 2017 registered under Sections 341, 323, 324, 504, 34 of the Indian Penal Code as well as under Sections 3 (1)(r) of the Scheduled Castes and Scheduled Tribes Act.

Allegation in the FIR would reveal that the offences of SC/ST Act is not attracted against the appellants inasmuch as there is general and omnibus allegation of



brickbat committed by the appellants.

Hence, in my view, the appellants abovenamed, 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 anticipatory bail on furnishing bail bond of Rs.20,000 (Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Revelganj P.S.Case No. 100 of 2017, 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/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the appellants.

Accordingly, this appeal stands allowed and the impugned order is set aside.

(Birendra Kumar, J)

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