

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3282 of 2017

Arising Out of PS.Case No. -62 Year- 2017 Thana -MARAUNA District- SUPAUL

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1. Rajendra Mishr, Son of Late Kari Mishr,
 2. Gopal Mishr, Son of Rajendra Mishr,
 3. Upendra Paswan, Son of Jhingur Paswan,
 4. Bharat Paswan,
 5. Satrudhan Paswan, Both Sons of Late Surendra Paswan,
 6. Bisheshwar Paswan @ Biro Paswan, Son of Late Ram Sawarup Paswan,
- all are resident & Police Station- Marauna, District- Supaul.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Arun, Advocate

For the Respondent/s : Mr. Sadanand Paswan, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 12-12-2017 Heard learned counsel for the parties.

This is an appeal under Section 14(A)(2) of the Schedule Caste and Schedule Tribe (Prevention of Atrocities) Act, 1989 against the refusal of prayer for anticipatory bail by the learned Additional Sessions Judge-I, Supaul, in Marauna Police Station Case No.62 of 2017 registered under Sections 341/323/307/354A/379/504/506/34 of the Indian Penal Code and Section 3((i) (r) (s) of the Schedule Caste and Schedule Tribe (Prevention of Atrocities) Act, 1989.

For land dispute the two groups scuffled with each other and committed abuse and assault.



Considering the background of the occurrence it cannot be alleged for the purpose of this anticipatory bail that the appellants were intending to humiliate the informant and others for the reason that he was a member of the schedule caste. Hence, let the appellants, above named, 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 Marauna Police Station Case No.62 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, the appeal stands allowed.

(Birendra Kumar, J)

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