

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.481 of 2018

Arising Out of PS.Case No. -27 Year- 2017 Thana -SC/ST District- SITAMARHI

- =====
1. Arun Singh @ Arun Kumar Singh S/o Sri Narayan Singh
 2. Sanjay Singh @ Sanjay Kumar Singh S/o Sri Narayan Singh All are residents of Village : Balha Maksudan, P.S. Pupri, District Sitamarhi.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Niraj Kumar, Advocate

For the Respondent/s : Smt Usha Kumari No-1, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 22-03-2018 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 by the learned Special Judge (S.C./S.T. Act), Sitamarhi, in Sitamarhi SC/ST Police Station Case No.27 of 2017 registered under Sections 341/323/354/504/506/34 of the Indian Penal Code and Sections 3(i) (r)(w)(i) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The FIR would reveal that the occurrence took place for land dispute. There is allegation of commission of abuse by taking caste name and commission of assault as well.

Submission is that false allegation is there due to land



dispute between the parties.

Considering the aforesaid fact, 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 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 investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the appellants.

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

(Birendra Kumar, J)

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