

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.559 of 2018

Arising Out of PS.Case No. -28 Year- 2017 Thana -SC/ST District- SHEOHAR

- =====
1. Pramod Singh, Son of Late Jagarnath Singh.
 2. Kishan Kumar Singh, Son of Sri Sudhir Kumar Singh.
- Both Residents of Village-Kataiya, P.S.-Purnahiya, District-Sheohar.

.... Appellant/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Yashraj Bardhan, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 26-02-2018

Heard learned counsel for the parties.

Learned counsel for the appellants is permitted to correct the district name of the appellants in course of the day.

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 Additional Sessions Judge-I-cum-Special Judge, Sheohar in connection with Sheohar SC/ST P.S.Case No. 28 of 2017 registered under Sections 341, 323, 504, 379, 307/34 of the Indian Penal Code as well as under Sections 3 (I)(r)(s), 3(2)(va) of the Scheduled Castes and Scheduled Tribes Act.

The son of the informant was apprehended while



committing theft in the shop of the appellant, for that Purnahiyar P.S. Case No.84 of 2017 was lodged at the instance of the appellants.

In the present FIR, allegation is that the appellants were assaulting the son of the informant alleging that he was a thief and when the informant and others came for rescue, they were also abused by taking their caste name.

Submission of the learned counsel for the appellants is that just to pressurize in the earlier case lodged by the appellants, false case has been lodged.

Considering the entire facts aforesaid, 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 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 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 appellant.



Accordingly, this appeal stands allowed.

Nitesh/-

(Birendra Kumar, J)

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