

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1768 of 2018

Arising Out of PS.Case No. -55 Year- 2017 Thana -ASAWAN District- SIWAN

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1. Suresh Dubey, S/o- Late Yamuna Dubey,
2. Brajesh Dubey @ Brajesh Kumar Debey, S/o- Late Ram Naresh Dubey, Both
resident of Village- Manjiya, P.S.- Asaon, District- Siwan.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Ram Nath Singh Yadav, Adv

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 24-07-2018

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 order dated 13.12.2017 in A.B.P. No.1751 of 2017 passed by the learned 1st Addl. Sessions Judge, Siwan in connection with Aason P.S.Case No. 55 of 2017 registered under Sections 418,420/34 of the Indian Penal Code and Sections 3(i)(v)(x) of the Scheduled Castes and Scheduled Tribes Act.

The complaint based FIR would reveal that there is dispute for transfer of land between the parties rather transfer of land not agreed to be transferred.

Considering the nature of allegation, 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 and both bailors shall be resident of territorial jurisdiction of the learned court below and further 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 this appeal stands allowed.

(Birendra Kumar, J)

Nitesh/-

AFR/NAFR	NAFR
CAV DATE	NA
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