

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.2197 of 2018

Arising Out of PS.Case No. -25 Year- 2018 Thana -SC/ST District- SASARAM (ROHTAS)

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1. Amit Tiwari @ Amit Kumar Tiwari, Son of Raghubansh Tiwari.
 2. Rohit Tiwari @ Rohit Kumar, Son of Nand Kishore Tiwari.
 3. Rohit Raj @ Rohit Tiwari, Son of Surendra Tiwari.
 4. Sonu Kumar Tiwari @ Sonu Tiwari, Son of Ramu Tiwari.
 5. Jai Ram Tiwari, Son of Sunil Tiwari.
 6. Raghubansh Tiwari, Son of Shani Tiwari. All residents of Village- Bhaluari, P.S. Indrapuri, District Rohtas.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Rajesh Kumar Singh, Adv
For the Respondent/s : Mr. Sadanand Paswan, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 07-08-2018

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 27.04.2018 by the learned 1st Additional Sessions Judge, Rohtas at Sasaram in connection with SC/ST P.S.Case No. 25 of 2018 registered under Sections 147, 148, 149, 341, 323, 354, 325, 504, 506/34 of the Indian Penal Code and Sections 3(i)(e)(s) of the Scheduled Castes and Scheduled Tribes Act.



There is case and counter case for the reason that both sides were insisting for putting the Handi on the occasion of Holi. The appellants have got no criminal antecedent.

Considering the background and 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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