

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3909 of 2018

Arising Out of PS. Case No.-20 Year-2018 Thana- SC/ST District- Saran

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1. Umesh Singh, Son of Daya Nand Singh,
 2. Dharmendra Singh,
 3. Sikandar Singh @ Sikendra Kumar Singh,
 4. Upendra Singh @ Upendra Kumar Singh,
 5. Niraj Singh @ Niraj Kumar
- Nos. 2 to 5 are sons of Umesh Singh, All are residents of village
Tejpurwa, P.S. Chapra Mufassil, District Saran

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

with

Criminal Appeal (SJ) No. 3945 of 2018

Arising Out of PS. Case No.-20 Year-2018 Thana- SC/ST District- Saran

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1. Rohit Kumar Singh @ Rohit Singh
 2. Manish Kumar Singh @ Manish Singh
 3. Manjit Singh @ Manjit Kumar Singh Appellants No.1 to 3 are
sons of Krishna Singh
 4. Ankit Kumar Singh @ Shankar Singh, son of Baban Singh @
Shailesh Kumar Singh
 5. Bittu Kumar Singh @ Bittu Singh, son of Dineshwar Singh All
are Residents of Village -Tejpurwa, P.S. - Chapra Mufassil,
Distt.-Saran

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

(In Criminal Appeal (SJ) No. 3909 of 2018)

For the Appellant/s : Mr. Dr. Rajesh Kumar Singh

For the Respondent/s : Mr. Sadanand Paswan

(In Criminal Appeal (SJ) No. 3945 of 2018)

For the Appellant/s : Mr. Dr. Rajesh Kumar Singh

For the Respondent/s : Mr. Binay Krishna

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 17-12-2018

Heard learned counsel for the parties.

These appeals are under Section 14-A(2) of the



Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for anticipatory bail vide order dated 07.09.2018 in A.B.P. No. 2934 of 2018 and A.B.P. No. 3154 of 2018 passed by the learned 1st Additional Sessions Judge-cum-Special Judge S.C./S.T. (POA) Act, Saran at Chapra in connection with Saran SC/ST P.S. Case No. 20 of 2018 registered under Sections 341, 323, 324, 504, 506, 379/34 of the Indian Penal Code as well as Sections 3(i)(r) of the SC/ST Act.

For the occurrence dated 21.02.2018, initially complaint petition was filed on 11.06.2018. Thereafter, on the basis of complaint petition, police case was registered on 12.07.2018. The allegation is general and omnibus of commission of assault and theft. Appellants have stated on oath that they have got no criminal antecedent.

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 bonds of Rs.20,000/- (rupees 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 as well as condition that both the bailors shall be resident of the territorial jurisdiction of the learned court below.

Accordingly, the impugned order is set aside and these appeals stand allowed.

(Birendra Kumar, J)

Kundan/Ravi

AFR/NAFR	N.A.
CAV DATE	N.A.
Uploading Date	18.12.2018
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