

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3903 of 2018

Arising Out of PS. Case No.-10 Year-2016 Thana- SC/ST District- Rohtas

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1. Baijnath Singh son of Subedar Singh
 2. Bhanu Pratap @ Ajay Singh
 3. Sanjay Singh @ Sanjay Kumar Singh, Appellant No. 2 & 3 are sons of Baijnath Singh, All Resident of Village – Amari, Police Station - Sasaram (Muffasil) Distt. - Rohtas at Sasaram

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Raghunandan Kumar Singh

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

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 17-12-2018

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 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for anticipatory bail vide order dated 30.08.2018 in Registered Case No. 81 of 2016 passed by the learned 1st Additional Sessions Judge-cum-Special Court (POCSO), Rohtas at Sasaram in connection with SC/ST Dehri P.S. Case No. 10 of 2016 registered under Sections 341, 323, 354, 504, 506/34 of the Indian Penal Code as well as Sections 3(1)(x)(xi) of the SC/ST Act.

There is land dispute between the parties and in that background allegation is of commission of abuse and



assault.

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 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 this appeal stands allowed.

(Birendra Kumar, J)

Kundan/Ravi

AFR/NAFR	N.A.
CAV DATE	N.A.
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