

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.741 of 2018

Arising Out of PS.Case No. -50 Year- 2017 Thana -SC/ST District- SEKHPURA

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1. Kamlesh Mistry s/o. Nandu Mistry @ Nandlal Mistry,
2. Mithun Mistry @ Mithun Kumar S/o. Kamlesh Mistry,
R/o. village- Fulchodh, P.S. Ariyari (Mahuli), District- Sheikhpura.
..... Appellant/s

Versus

The State of Bihar

..... Respondent/s

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Appearance :

For the Appellant/s : Mr. Ram Prasad Singh, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 26-03-2018 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 against the refusal of prayer for anticipatory bail by the learned 1st Additional Sessions Judge, Sheikhpura, in Sheikhpura SC/ST Police Station Case No.50 of 2017 registered under Sections 341/323/504/34 of the Indian Penal Code and Sections 3(2)(va)/3(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The informant was a helper in the mechanical shop of the appellants. For dispute relating to payment of wages, there is allegation of commission of abuse by taking caste name.

Submission is that concocted and false allegation is there just to pressurize the appellants. The appellants have got no



criminal antecedent.

Considering the aforesaid facts, 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 bail on furnishing bail bonds of Rs.20,000/- (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.

Accordingly, the impugned order is set aside and the appeal is allowed.

(Birendra Kumar, J)

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