

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.697 of 2018

Arising Out of PS.Case No. -59 Year- 2017 Thana -SC/ST District- JEHANABAD

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1. Gopal Sharma, son of Late Bachu Singh.
 2. Janardhan Sharma, son of Late Ambika Sharma.
 3. Sunil Kumar, son of Gopal Sharma.
 4. Brijnandan Singh, son of Late Surajdeo Singh.
 5. Yamuna Yadav, son of Sri Ram Swaroop Yadav. All are Resident of Village- Dihuri, Police Station- Hulasganj, District- Jehanabad.
 6. Jitendra Das, son of Ram Lagan Das, Resident of Village- Budhanpur, Police Station- Hulasganj, District- Jehanabad.
 7. Umesh Mahto, son of Late Dudheshwar Mahto, Resident of Village- Benichak, Police Station- Hulasganj, District- Jehanabad.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Gajendra Kumar Singh

For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 29-03-2018

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 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for anticipatory bail by the learned 1st Additional Sessions Judge, Jehanabad in Jehanabad SC/ST P.S. Case No. 59 of 2017 registered under Sections 3(I)(P), 3(I)(q) of the SC/ST Act.

According to FIR, co-accused Yogendra Kumar



produced a forged caste certificate granted by the Circle Officer. Allegation against the appellants is that they had managed the grant of forged certificate.

Submission is that there is no material to substantiate the aforesaid allegation.

Hence, 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/- (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 and trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the appellants.

Accordingly, this appeal stands allowed.

(Birendra Kumar, J)

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