

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.739 of 2018

Arising Out of PS.Case No. -241 Year- 2017 Thana -DORIGANJ District- SARAN

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1. Ram Naresh Ray,
2. Ram Janam Ray,
3. Manoj Ray,
4. Arvind Ray,
5. Dilip Ray, All Sons of Late Kamta Ray, All resident of Village-
Khawaspur Kala, P.S.- Doriganj, District- Chapra, Saran.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Maheshwar Prasad, Adv.

For the Respondent/s : Mr. Sri Sadanand Paswan, SPP.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 15-03-2018

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 the learned First Additional Sessions Judge, Chapra, Saran in connection with Doriganj P.S.Case No. 241 of 2017, Complaint Case No.2497 of 2017 registered under Sections 342, 323, 379, 504, 386 of the Indian Penal Code as well as under Sections 3(i)(iv) of the Scheduled Castes and Scheduled Tribes Act.

A civil dispute is going on between the parties.

In the aforesaid background for the occurrence



dated 07.08.2017, complaint case was filed on 12.10.2017 with allegation that the appellants want to grab the land of the complainant and in that wake, they abused the complainant by taking her caste name and committed assault. The background of the allegation would reveal that the matter is of abuse of the process of law for the purpose of this appeal for grant of anticipatory bail.

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 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 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, this appeal stands allowed.

(Birendra Kumar, J)

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