

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.788 of 2018

Arising Out of PS.Case No. -13 Year- 2017 Thana -CHAKAMHESI District- SAMASTIPUR

- =====
1. Baiju Sah Son of late Ram Gulam Sah
 2. Ram Deo Sah @ Lal Babu Sah Son of Baiju Sah
 3. Ram Kumar Sah @ Gulab Sah Son of Baiju Sah
 4. Arjun Sah @ Arjun Kumar Sah Son of Baiju Sah All Resident of Village- Batiyarpur, P.S. Chakmehshi , Distt.- Samastipur.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Mukesh Kumar No-1, Advocate

For the Respondent/s : Mr. Binay Krishna, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 10-04-2018

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, Samastipur, in connection with Chakmehsi Police Station Case No.13 of 2017 registered under Sections 323/341/504/506/34 of the Indian Penal Code and Sections 3(i) (r)(s)/3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

For some dispute between the parties relating to path there is general and omnibus allegation of abuse by taking caste name against the appellants. Both sides are neighbours.



Considering the background and the nature of allegation which is general and omnibus, 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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