

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.972 of 2018

Arising Out of PS.Case No. -41 Year- 2015 Thana -GAYGHAT District- MUZAFFARPUR

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1. Pawan Kumar @ Pawan Rai,
2. Nanhe Kumar @ Nanhe Rai. Both are Son of Ramanand Rai @ Ram Nandan Ray Resident of Village-Badeya, P.S. Gaighat, District-Muzaffarpur.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Rajive Ranjan Singh,
Mr. Anand Kumar
Mr. Shanti Bhushan Singh
For the Respondent/s : Mr. Binay Krishna (SPP 245)

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 19-04-2018

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, against refusal of the prayer for anticipatory bail by the learned Xth Additional District & Sessions Judge- cum-Special Judge, SC/ST (POA) Act, Muzaffarpur in connection with Gaighat P.S. Case No. 41/2015 registered under Sections 147, 148, 149, 341, 307, 323, 324, 354, 379, 427, 447 and 504 of the Indian Penal Code as well as Section 27 of the Arms Act and Sections 3/4 (i)(x) of the SC/ST Act.

15 persons are named in the F.I.R. and other 20 to 25 are unknown. The appellants are also named in the F.I.R. However, the



allegation is of general and omnibus nature.

Considering the general and omnibus 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 bail on furnishing bail bond 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, the impugned order is set aside and the appeal stands allowed.

(Birendra Kumar, J.)

Rakhi

AFR/NAFR	
CAV DATE	N.A.
Uploading Date	21.04.2018
Transmission Date	21.04.2018

