

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1082 of 2018

Arising Out of PS. Case No.-272 Year-2017 Thana- NANHPUR District- Sitamarhi

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1. Balchandra Sah, Son of Late Bhila Sah.
 2. Sushil Sah, Son of Balchandra Sah.
 3. Anil Sah, Son of Balchandra Sah.
 4. Sudhir Sah, Son of Balchandra Sah.
 5. Gautam Kumar, Son of Sushil Sah.
 6. Renu Devi, Wife of Sushil Sah. All are resident of Village-
Dorpur, P.S.- Nanpur, District- Sitamarhi.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Shankar Kumar
For the Respondent/s : Smt. Asha Kumari

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 03-05-2018 Heard learned counsel for the parties.

This is an appeal under Section 14 (A) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer for anticipatory bail by the learned Additional District and Sessions Judge-cum-Special Judge (SC/ST), Sitamarhi in Nanpur P.S. Case No. 272 of 2017, registered under Sections 147,323,341,354(B),504,506 of the Indian Pena Code as well as under Section 3 (I)(x) of the SC/ST (Prevention of Atrocities) Act, 1989.

Appellant no. 2 Sushil Sah is in-charge headmaster of the Primary School at Dorpur Hasanpur where mother of the



informant was a cook. The appellants proposed, for removal of the mother of informant, to the competent authority vide letter no. 21.03.2013 at Annexure 2 to the bail petition.

In the aforesaid background, the allegation is that the appellants abused and assaulted to the informant and her mother for the reason that some water got spread on the clothes of one of the appellants from the cycle of the informant.

Submission is that material background of the case has been suppressed just to harass the appellant.

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) 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 appellant 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



appeal stands allowed.

(Birendra Kumar, J)

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