

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.696 of 2018

Arising Out of PS.Case No. -1360 Year- 2016 Thana -EAST CHAMPARAN COMPLAINT
District- EASTCHAMPARAN(MOTIHARI)

- =====
1. Indradeo Thakur, son of Nathuni Thakur.
 2. Rajendra Thakur, son of Indradeo Thakur.
 3. Sunil Thakur, son of Nathuni Thakur.
 4. Manoj Thakur, son of Nathuni Thakur.
 5. Sakhichandra Thakur, son of Jiout Thakur.
 6. Brahamdeo Thakur, son of Sakhichandra Thakur.
 7. Sheochandra Thakur @ Shivchandra Thakur, son of Sakhichandra Thakur.
 8. Pradip Thakur, son of Sakhichandra Thakur.
 9. Krishna Thakur, son of Lakhan Thakur.
 10. Ashok Thakur, son of Lakhan Thakur.
 11. Naresh Thakur, son of Lakhan Thakur.
 12. Pramod Thakur, son of Lakhan Thakur.
 13. Pramila Devi, wife of Pramod Thakur.
 14. Sujit Thakur son of Pramod Thakur.
 15. Fudena Devi, wife of Inardeo Thakur.
 16. Rekha Devi, wife of Sunil Thakur.
 17. Shakuntla Devi, wife of Rajendra Thakur.
 18. Prabhawati Devi, wife of Krishna Thakur.
 19. Lalmati Devi, wife of Ashok Thakur.
 20. Manju Devi, wife of Naresh Thakur.
 21. Shanti Devi, wife of Sakhichandra Thakur.
 22. Punam Devi, wife of Brahmdeo Thakur.
 23. Gita Devi, wife of Shivchandra Thakur. All are Resident of Village- Jhabhra, P.S. Pipra Kothi, District- East Champaran, at Motihari.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

=====

Appearance :

For the Appellant/s : Mr. Vibhakar Kumar, Advocate

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

=====

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 26-03-2018

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 against the refusal of prayer for anticipatory bail by the learned 1st Additional Sessions Judge-cum-Special Judge (S.C./S.T. Act), East Champaran, Motihari, in Complaint Case No.1360 of 2016 registered under Sections 147/148/149/323/324/325/365/354B/386 of the Indian Penal Code, Section 27 of the Arms Act and Sections 3(i) (x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The appellants belong to the same family and also belong to the scheduled caste. Hence, provisions of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, is not applicable against the appellants.

Considering the nature of offences of the penal code, which are mostly bailable, and also considering the complaint based 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 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)

Mkr./-

U		T	
---	--	---	--

