

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Appeal (SJ) No.368 of 2018**

Arising Out of PS.Case No. -452 Year- 2017 Thana -MOTIHARI MUFASIL District-  
EASTCHAMPARAN(MOTIHARI)

- =====
1. Jhunu Singh S/o late Ramayodhya Singh
  2. Sahil Kumar S/o Keshwam Singh @ Keshwam Kumar Singh Resident of Village-Basatpur, P.S. Motihari Mufasil, District East Champaran.

.... .... Appellant/s

Versus

1. The State of Bihar

.... .... Respondent/s

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**Appearance :**

For the Appellant/s : Mr. Pramod Kumar Pandey, APP

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

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**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR**  
**ORAL ORDER**

3      23-02-2018                      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 1<sup>st</sup> Additional Sessions Judge-cum-Special Judge (S.C./S.T. Act), East Champaran, Motihari, in Muffasil Police Station Case No.452 of 2017 registered under Sections 147/148/149 / 323 /324 / 354B / 307/504/506 of the Indian Penal Code and Sections 3(i) (b)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The F.I.R. does not reveal any allegation under the provisions of the Scheduled Castes and Scheduled Tribes



(Prevention of Atrocities) Act, 1989, against the appellants nor there allegation of commission of murderous attack against the appellants specific.

Learned Special Public Prosecutor has opposed the prayer for bail.

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) 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 appeal stands allowed.

**(Birendra Kumar, J)**

Mkr./-

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