

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.556 of 2018

Arising Out of PS.Case No. -2 Year- 2017 Thana -SC/ST District- GAYA

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1. Rakesh Singh @ Rakesh Kumar Singh, Son of Sheobachan Singh.
 2. Rajesh Singh @ Rajesh Kumar Singh, Son of Surendra Singh.
- Both are resident of village-Baheri, P.S.-Gurua, District-Gaya.

.... Appellant/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Bhaskar Shankar, Adv.

For the Respondent/s : Mr. Smt Usha Kumari No-1,

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 26-02-2018

Heard learned counsel for the parties.

This is an appeal under Sections 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 Special Judge, SC/ST, Gaya in connection with SC/ST P.S.Case No. 02 of 2017 registered under Sections 147,148,149,341,323,324,379,504,506 of the Indian Penal Code as well as under Sections 3 (1)(r)(s)(z)(2)(va)of the Scheduled Castes and Scheduled Tribes Act.

Submission is there is bonafide land dispute between the parties. Grandmother of the appellants had purchased the same from the recorded tenant through registered sale deed dated 24.11.1961.

In the aforesaid background, allegation is that the



appellants and other 12 persons came and started damaging the hut of the informant. On protest, they committed abuse and assault.

Considering the background of 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 anticipatory bail on furnishing bail bond of Rs.20,000 (Twenty Thousand) each with two sureties of the like amount each to the satisfaction of 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, this appeal stands allowed.

(Birendra Kumar, J)

Nitesh/-

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