

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.854 of 2018

Arising Out of PS.Case No. -81 Year- 2017 Thana -KORANSARAI District- BUXAR

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1. Dharmendra Rai @ Dharmendra Kumar Rai,
2. Sagar Rai son of Dharmendra Rai,
Both are residents of village- Mugaon, P.S. Koransarai, District- Buxar
.... Appellant/s

Versus

1. State of Bihar
2. Mahesh Ram S/o. late Radha Mohan, R/o. Village- Mugaon, P.S.
Koransarai, District- Buxar
.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Arvind Kumar, Advocate
For the Respondent/s : Mr. Binay Krishna, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 10-04-2018 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 Sessions Judge-I, Buxar, in connection with Koransarai Police Station Case No.81 of 2017 (Special SC/ST Case No.337 of 2017) registered under Sections 341/323/504/379 of the Indian Penal Code and Section 3(i)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The complaint based FIR would reveal that there is general and omnibus allegation against three persons of abusing the complainant by taking caste name for land dispute.

Considering the background and 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 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)

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