

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1190 of 2018

Arising Out of PS.Case No. -182 Year- 2017 Thana -MARKAHI District- KHAGARIA

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1. Shobhakant Singh, son of Late Yugal Kishor Singh.
2. Tunna Singh, son of Ramesh Singh.
3. Subodh Singh, son of Late Yugal Singh.
4. Lalan Sah, son of Hira Sah. All Resident of Village- Khutha, P.S.- Morkahi,
District- Khagaria. Appellant/s

Versus

1. The State of Bihar. Respondent/s

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Appearance :

For the Appellant/s : Mr. Yogesh Kumar, Adv

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 11-05-2018

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 Addl. Sessions Judge 1st, Khagaria in connection with Morkahi P.S.Case No.182 of 2017, G.R.No.3533 of 2017 registered under Sections 341,323,504,506,353/34 of the Indian Penal Code as well as under Sections 3 (i)(r) of the Scheduled Castes and Scheduled Tribes Act.

The police-informant had gone at the place of occurrence on getting information that the appellants and others were forcefully tilling the land of Bimla Devi. Allegation is that when the police attempted to pacify the situation, the named persons and 8-10 unknown manhandled the informant and abused him by taking caste name.



Submission is that the nature of allegation does not reveal that the informant was acting with bonafide intention as he had no material to substantiate the claim of Bimla Devi on the referred land. Moreover, the allegation is general and omnibus.

Finding substance in the aforesaid submission, 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/-

AFR/NAFR	NAFR
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