

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.695 of 2018

Arising Out of PS.Case No. -98 Year- 2017 Thana -MUSRIGHARARI District- SAMASTIPUR

- =====
1. Vijay Kumar Choudhary, son of Badri Narayan Choudhary,
 2. Babloo Kumar Choudhary, son of Vijay Kumar Choudhary, Both are Resident of Village- Rupauli Bujurg Dih Tol, Police Station- Mushari Gharai, District- Samastipur.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

=====

Appearance :

For the Appellant/s : Mr. Choudhary Shyam Nandan

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

=====

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 03-04-2018

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 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for anticipatory bail by the learned 1st Additional Sessions Judge, Samastipur in Musarigharari P.S. Case No. 98 of 2017 registered under Sections 323, 341, 504, 506 of the Indian Penal Code as well as Section 3(i)(r),3(i)(s), 3(2)(va) of the SC/ST Act.

The informant claims to be the Manager of the agnate of the appellants. Civil suit is going on for land dispute between the appellants and agnate of the appellants. In the



aforesaid background, allegation is that the appellants stopped the informant from doing the agricultural work and abused by taking his caste.

Considering the background of allegation and general and omnibus 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/- (rupees 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 and 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 this appeal stands allowed.

(Birendra Kumar, J)

Kundan/-

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

