

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1230 of 2018

Arising Out of PS.Case No. -504 Year- 2017 Thana -MAJHAULIA District-
WESTCHAMPARAN(BETTIAH)

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1. Vivek Shahi, S/o Late Vijay Sahi @ late Vijay Kumar Shahi,
2. Akhilesh Yadav S/o Harihar Yadav,
3. Virendra Sah, S/o late Harihar Sah
4. Jhunna Shahi @ Jhunna Sahi S/o Paspatinath Shahi, All Four R/o Chanaya n
Bandh, P.S.- Majhaulia Distt.- West Champaran.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr.

For the Respondent/s : Mr.

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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 Section 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 1st Additional District & Sessions Judge- cum- Special Judge, Bettiah at West Champaran in connection with Majhaulia P.S. Case No. 504 of 2017 registered under Sections 341, 323 and 504/34 of the Indian Penal Code as well as Section 3(2), (va) of the SC/ST Act.

Earlier, a case was lodged by the appellant Vivek Shahi against the informant of this case and others vide Majhaulia P.S. Case No. 503/2017 with allegation that the informant and others had



damaged the PACS office of the appellant. Thereafter, the present F.I.R. has been lodged with identical allegation which is of general and omnibus nature for commission of abuse and assault by taking caste name.

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 bond 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 the appeal stands allowed.

(Birendra Kumar, J.)

Rakhi

AFR/NAFR	
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