

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Appeal (SJ) No.1740 of 2018**

Arising Out of PS. Case No.-23 Year-2017 Thana- SC/ST District- Samastipur

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1. Dilip Mukhiya, Son of Dinesh Mukhiya,
  2. Chandeshwar Mukhiya, Son of Ram Lakhan Mukhiya.
  3. Balram Mukhiya, Son of Kameshwar Mukhiya.
  4. Shyam Sundar Mukhiya, son of Kameshwar Mukhiya.
  5. Ram Pravesh Mukhiya, Son of Sahdeo Mukhiya.
  6. Arjun Mukhiya, Son of Sundar Mukhiya.
  7. Iglish Mukhiya @ Inglesh Mukhiya, Son of Lakhan Mukhiya.
  8. Santosh Mukhiya, Son of Sundar Mukhiya, All are resident of Village- Kankari, P.O.- Sonsa, P.S.- Singhia, District- Samastipur.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

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**Appearance :**

For the Appellant/s : Mr. Ashok Kumar Mishra  
For the Respondent/s : Smt Usha Kumari No-1

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**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR**  
**ORAL JUDGMENT**

**Date : 17-07-2018**

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 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for anticipatory bail vide order dated 24.04.2018 passed by the learned Additional Sessions Judge-1<sup>st</sup>-cum-Special Judge, SC/ST Act, Samastipur in A.B.P. No.779 of 2018, arising out of SC/ST Police Station Case No.23 of 2017 registered under Sections 147, 448, 449, 341, 324, 307, 379, 504, 506 of the Indian Penal Code and Sections 3, 3(i)(r)(s), 3(2)(wa) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.



There is general and omnibus allegation of commission of abuse and assault as well as theft against 25 F.I.R. named accused persons, which would be evident from seriatim of list of the accused persons mentioned in the F.I.R.

Considering the general and omnibus nature of allegation and the fact that co-accused, *Rekha Devi* has already been allowed anticipatory bail by this Court vide *Annexure-2*, 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 conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the appellants shall fully co-operate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bonds of the appellants.

Accordingly, the impugned order is set aside and this appeal stands allowed.

**(Birendra Kumar, J)**

abhishek/-

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