

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.2068 of 2018

Arising Out of PS.Case No. -38 Year- 2018 Thana -KARPI District- JEHANABAD

- =====
1. Kapil Ram, S/o Late Ram Prasad Chandrabanshi,
 2. Ram Pukar Ram S/o Kapil Ram,
 3. Nepali Ram @ Nepali Kumar S/o Kapil Ram,
 4. Sunil Kumar S/o Ram Pukar Ram, All R/o vill.- Kaiyal, P.S.- Karpi (Sahar Telpa O.P.), District- Arwal.

.... Appellant/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Ajay Kumar, Advocate

For the Respondent/s : Mrs. Usha Kumari No.1, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 25-07-2018

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 against the refusal of prayer for anticipatory bail vide order dated 28.04.2018 passed by the learned Additional Sessions Judge-I, Jehanabad, in A.B.P. No.605 of 2018, arising out of Karpi (Sahar Telpa O.P.) Police Station Case No.38 of 2018, registered under Sections 341/323/504/34 of the Indian Penal Code and Sections 3(2)(v)a of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Since the appellants allegedly uprooted the crop from the



field of the informant. On complaint the occurrence of abuse and assault took place. The background and nature of occurrence does not reveal that the appellants were intending to humiliate a member of scheduled caste.

Considering the aforesaid facts, 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)

Mkr./-

AFR/NAFR	NAFR
CAV DATE	NA
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