

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.2093 of 2018

Arising Out of PS.Case No. -200 Year- 2016 Thana -AWTARNAGAR District- SARAN

- =====
1. Nitesh Kumar son of Prahlad Singh
 2. Nisant Kumar @ Tempu son of Shatrughan Singh
- Both are residents of Village- Dumari, Police Station- Doriganj, District- Saran (Chapra).

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Sachida Nand Rai, Advocate

For the Respondent/s : Mr. Binay Krishna, 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 01.06.2018 by the learned 1st Additional Sessions Judge, Saran at Chapra, in A.B.P. No.1407 of 2018, arising out of Awatar Nagar Police Station Case No.200 of 2016, registered under Sections 147/149/341/323/504 of the Indian Penal Code and Sections 3(i)(r) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The offences of the Indian Penal Code alleged are bailable.



The appellants are not named in the FIR whereas some others are named in the FIR. The aforesaid facts of this case are sufficient to come to the conclusion that this is not a fit case wherein appellants should be sent to jail.

Hence, 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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