

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.2599 of 2018

Arising Out of PS.Case No. -7 Year- 2018 Thana -ATRI District- GAYA

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1. Rekha Devi, Wife of Pintu Pandit,
2. Pintu Pandit, Son of Shyamdeo Pandit, Both appellant no.1 and 2 are resident of
Village- Chakra Field, Police Station- Atri District- Gaya..... Appellant/s
Versus

1. The State of Bihar. Respondent/s

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Appearance :

For the Appellant/s : Mr. Shailesh Kumar, Adv

For the Respondent/s : Mr.Sadanand Paswan, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 18-08-2018

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 order dated 20.04.2018 in A.B.P. No.84 of 2018 passed by the learned Exclusive Special Judge, (S.C./S.T.), Gaya in Atri P.S. Case No. 07 of 2018 registered under Sections 341, 323, 324, 307/34 of the Indian Penal Code as well as Sections 3(1)(r)(s) of the SC/ST Act.

There is general and omnibus allegation against the appellants of commission of abuse and assault by taking caste name.

Similarly situated co-accused have been granted anticipatory bail by this Court vide Annexure-2.



Learned Special Public Prosecutor has opposed the prayer for bail.

Considering the 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 anticipatory bail on furnishing bail bond of Rs.20,000 (Twenty Thousand) each with two sureties of the like amount each to the satisfaction of 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 and both bailors shall be resident of territorial jurisdiction of the learned court below and further 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 this appeal stands allowed.

(Birendra Kumar, J)

Nitesh/-

AFR/NAFR	NAFR
CAV DATE	NA
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