

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3257 of 2017

Arising Out of PS.Case No. -171 Year- 2017 Thana -MANIGACHI District- DARBHANGA

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1. Md. Asadullah @ Md. Laboo @ Md. Lal Babu, Son of Md. Salimuddin,
2. Md. Rafique Rahman @ Md. Heera, Son of Md. Salimuddin, Both
residents of Village- Sakri, Police Station- Sakri, District- Madhubani.
.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Dharmendra Jha, Advocate

For the Respondent/s : Mr. Binay Krishna, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 02-01-2018 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 by the learned 1st Additional Sessions Judge-cum-Special Judge (S.C./S.T. Act), Darbhanga, in Manigachhi Police Station Case No. 171 of 2017 registered under Sections 341/323/504/34 of the Indian Penal Code and Sections 3(i) (r)(s)/3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The F.I.R. would reveal that there is dispute between the two teachers of a school where mother of the appellants was also a teacher. Allegation of taking caste name of the informant is against the mother of the appellants.



Considering the fact that the provisions of SC/ST Act is not attracted at the appellants, 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 appeal stands allowed.

(Birendra Kumar, J)

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