

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.2814 of 2018

Arising Out of PS.Case No. -186 Year- 2018 Thana -MAKHDUMPUR District- JEHANABAD

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1. Abhay Sharma @ Abhay Kumar, Son of Suresh Sharma,
2. Niraj Sharma @ Niraj Kumar, Son of Awadhesh Sharma,
3. Suresh Sharma, Son of Late Prasidh Sharma,
4. Kamlesh Sharma @ Kamlesh Singh, Son of Bachu Sharma, All are resident of
Village- Manjhosh, Police Station- Makhdumpur in the district of Jehanabad.

.... Appellant/s

Versus

1. The State of Bihar. Respondent/s

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Appearance :

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

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 30-08-2018

Heard learned counsel for the parties.

This is an appeal under Sections 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, against refusal of the prayer for anticipatory bail by order dated 05.07.2018 in A.B.P. No.984 of 2018 passed by the learned Additional Sessions Judge-I, Jehanabad in connection with Makhdumpur P.S.Case No. 186 of 2017 registered under Sections 448,323,307,504/34 of the Indian Penal Code and Sections 3(2)(v) of the Scheduled Castes and Scheduled Tribes Act.

There is case and counter case. There is general and omnibus allegation of commission of assault with butt of the pistol against four FIR named accused persons. The Doctor has found single lacerated wound, simple in nature on the person of



the informant. The appellants have stated on oath that they have got no criminal antecedent.

Considering the facts aforesaid, 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
Uploading Date	01.09.2018
Transmission Date	01.09.2018

