

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.2812 of 2018

Arising Out of P.S. Case No. -75 Year- 2015 Thana -SC/ST District- SARAN

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1. Jitendra Rai,
2. Binod Rai,
3. Raju Rai, All are sons of Late Bhagwan Rai, R/o Vill- Narayanpur, P.S.- Taraiya,
District- Saran. Appellant/s

Versus

1. The State of Bihar. Respondent/s

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Appearance :

For the Appellant/s : Mr. Ajay Kumar Pandey, Adv

For the Respondent/s : Mr. Sadanand Paswan, 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 08.06.2018 in A.B.P. No.1595 of 2018 passed by the learned Addl. Sessions Judge-1st, Chapra in connection with Saran SC/ST P.S. Case No. 75 of 2015 registered under Sections 341, 323, 325, 392, 147, 149, 384, 506 of the Indian Penal Code and Sections 3(i)(x) of the Scheduled Castes and Scheduled Tribes Act.

Taraiya P.S. Case No.35 of 2015 was lodged by appellant-Raj Kumar Rai against the informant of this case and others on 04.03.2015. Thereafter, this complaint was filed on 02.09.2015 with allegation of commission of abuse and assault and demand of ransom.



Submission is that concocted allegation is there just to pressurize in the earlier case filed by the appellants.

Considering the background 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
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