

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.2928 of 2018

Arising Out of PS.Case No. -37 Year- 2018 Thana -NTPC District- PATNA

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1. Umesh Ram, Son of Late Mishari Ram,
2. Upendra Ram, Son of Late Bilash Ram.
3. Vikash Kumar, Son of Late Sagar Ram,
4. Ranjeet Kumar, Son of Late Sagar Ram,
5. Ranjiv Ram @ Rajiv Kumar, Son of Late Sagar Ram,
6. Lov Kumar, Son of Vikash Kumar.
7. Gautam @ Guddu Kumar, Son of Vikash Kumar, All are resident of Village- Majhidpur, Police Station- N.T.P.C. District- Patna.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Tej Narayan Singh, Advocate
For the Respondent/s : Mr. Binay Krishna, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 31-08-2018

Heard learned counsel for the parties.

Appellant Umesh Ram has already been arrested in this case. Hence, his prayer for anticipatory bail is dismissed as infructuous.

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 25.06.2018 passed by the learned Special Judge (S.C./S.T. Act)-cum- Additional Sessions Judge-V, Patna, in A.B.P. No.4278 of 2018, arising out of NTPC Police Station Case No.37 of 2018, registered under Sections 147/148/149/341/323/477/504/506 of the Indian Penal Code and Sections 3(i)(r) of the Scheduled Castes and Scheduled



Tribes (Prevention of Atrocities) Act, 1989.

There is case and counter case between the parties.

Allegation of commission of assault is general and omnibus. The offences of the Indian Penal Code alleged against the appellants are bailable. The appellants have stated on oath that they have got no criminal antecedent.

Considering the aforesaid facts, let the appellants, above named except Umesh Ram, 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
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