

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3004 of 2018

Arising Out of PS. Case No.-15 Year-2018 Thana- SC/ST District- Banka

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1. Gurudeo Thakur, Son of Anuplal Thakur.
 2. Chandan Thakur, Son of Anuplal Thakur, Both are resident of Village- Baman Kurama, P.S. Rajoun, District- Banka.
 3. Amit Thakur, Son of Sukh Nandan Thakur, resident of Village- Jouki, P.S. Dhoraiya, District- Banka.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Brij Nandad Prasad
For the Respondent/s : Smt. Usha Kumari No-1

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 05-09-2018

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 vide order dated 21.07.2018 passed by the learned Additional Sessions Judge-I, Banka in A.B.P. No.807 of 2018, arising out of SC/ST Police Station Case No.15 of 2018 registered under Sections 341, 323, 324, 504, 506/34 of the Indian Penal Code and Sections 3 (1) (r) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

The brother of the informant is an *Auto Driver*. The auto was filled with passengers, however, the appellants were insisting



for seat and for that reason they committed abuse and assault. The appellants have got no criminal antecedent.

Considering the nature of allegation and the offences of the Indian Penal Code, which are mostly bailable as well as the statement of the appellants on oath that they have got no criminal antecedent, 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/- (Rupees 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 conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the appellants shall fully co-operate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bonds of the appellants.

Accordingly, the impugned order is set aside and this appeal stands allowed.

(Birendra Kumar, J)

abhishek/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

