

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Appeal (SJ) No.3814 of 2018**

Arising Out of PS. Case No.-370 Year-2018 Thana- MANER District- Patna

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1. Rohit Roy @ Rohit Kumar
  2. Manish Roy @ Manish Kumar
  3. Deepak Roy @ Lalu Roy All are sons of Kariman Roy All are Resident of Village- Bhikhabandh, P.S. Maner, District- Patna.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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**Appearance :**

For the Appellant/s : Smt. Usha Kumari Singh

For the Respondent/s : Mr. Binay Krishna

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**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR**  
**ORAL JUDGMENT**

**Date : 13-12-2018**

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 31.08.2018 in A.B.P. No. 6353 of 2018 passed by the learned 4<sup>th</sup> Additional Sessions Judge-cum-Special Judge S.C./S.T. (POA) Act, Patna in connection with Maner P.S. Case No. 370 of 2018 registered under Sections 341, 323, 504, 506/34 of the Indian Penal Code as well as Sections 3(1)(r)(v) of the SC/ST Act.

For land dispute between the parties, the offences



of the Indian Penal Code alleged against the appellants are bailable. Appellant No. 1 Rohit Roy @ Rohit Kumar and appellant no. 2 Manish Roy @ Manish Kumar have got no criminal antecedent.

Hence, let the **appellant no. 1 Rohit Roy @ Rohit Kumar** and **appellant no. 2 Manish Roy @ Manish Kumar**, 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 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 the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the appellant no. 1 and 2 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 appellant no. 1 and 2 as well as condition that both the bailors shall be resident of the territorial jurisdiction of the learned court below.

**Appellant No. 3 Deepak Roy @ Lalu Roy** has got criminal antecedent including a case under SC/ST (POA) Act, I am not inclined to enlarge him on anticipatory bail. Hence



prayer of the **appellant no. 3 Deepak Roy @ Lalu Roy** for  
anticipatory bail is refused.

Accordingly, this appeal stands disposed of.

**(Birendra Kumar, J)**

Kundan/Rajan

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| AFR/NAFR          | N.A.       |
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