

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3973 of 2018

Arising Out of PS. Case No.-345 Year-2015 Thana- PATLIPUTRA District- Patna

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1. Sunil Prasad Son of Ramakant Prasad
 2. Manoj Kumar @ Manoj Malakar Son of late Mishri Malakar
 3. Amrita Kumari D/o of Manoj Kumar
 4. Anita Saini @ Anita Sahani Wife of Sunil Prasad All are residents at Bank Colony, New Bengali Tola P.S. Jakkanpur, Distt.-Patna

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Rabindra Prasad Singh, Advocate
For the Respondent/s : Mr. Binay Krishna, SPP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 17-12-2018

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 against the refusal of prayer for anticipatory bail vide order dated 10.09.2018 passed by Additional Sessions Judge- IVth-cum-Special Judge (S.C./S.T. Act), Patna, in A.B.P. No.6397 of 2018 , arising out of Patliputra Police Station Case No.345 of 2015, registered under Sections 448/323/504/380/384/149 of the Indian Penal Code and Section 3(i) (x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Due to some dispute arising during business transaction between the partners. The allegation is general and omnibus of



commission of assault and theft etc. against the appellants. The appellants have stated on oath that they have got no criminal antecedent.

Considering the background and general and omnibus nature of the 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 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 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
CAV DATE	NA
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