

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1019 of 2018

Arising Out of PS.Case No. -517 Year- 2017 Thana -KHAGARIA District- KHAGARIA

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1. Ramdeo Thakur son of Late Keshav Thakur
 2. Vijay Thakur @ Bijay Thakur S/o Ramdeo Thakur
 3. Sitaram Thakur S/o Akal Thakur
 4. Dhiraj Kumar @ Dhiraj Thakur S/o Ramji Thakur
 5. Ramji Thakur @ Ramjee Thakur S/o Akal Thakur
 6. Raushan Kumar @ Roshan Thakur S/o Sitaram Thakur All resident of village - Mathurapur, P.S. & District - Khagaria.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Anurag Saurav, Advocate

For the Respondent/s : Mr. Sadanand Paswan, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 28-06-2018

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 19.02.2018 passed in A.B.P. No.9 of 2018 by the learned Special Judge-cum-Additional Sessions Judge-I, Khagaria, in connection with Khagaria Police Station Case No.517 of 2017 registered under Sections 147/148/149/379/380/34 of the Indian Penal Code and Sections 3/4 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Ajay Thakur son of appellant No.1 Ramdeo Thakur has lodged Khagaria P.S. Case No.56 of 2017 vide Annexure-2 against the informant of this case and others for the offences under



Sections 504/307/326/34 of the Indian Penal Code and Section 27 of the Arms Act. Thereafter, the present false case has been lodged with allegation of commission of theft etc. The background of the allegation reveals that the present case has been lodged just to pressurize in that case with false and mala fide intention.

Finding substance in the submission aforesaid, 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 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)

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