

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.2895 of 2018

Arising Out of PS. Case No.-359 Year-2016 Thana- AURANGABAD COMPLAINT CASE
District- Aurangabad

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1. Laldeo Sao son of Late Lakhu Sao.
 2. Indu Devi wife of Laldeep Sao.
 3. Deomuni Kuer wife of Late Lakhu Sao.
 4. Geeta Devi wife of Laldeo Sao. All resident of Village-Dularchak, P.O. Goh, District- Aurangabad (Bihar). ... Appellant/s

Versus

1. The State of Bihar
2. Shiv Rani Devi, Wife of Anand Paswan R/o Village-Dularchak, P.O.+P.S.-Goh, District-Aurangabad. Respondent/s

Appearance :

For the Appellant/s : Mr. Kamendra Pd. Singh, Adv
For the Respondent/s : Mr. Sri Sadanand Paswan, SPP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 06-12-2018

Heard learned counsel for the parties.

This is an appeal under Sections 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, against refusal of the prayer for anticipatory bail by order dated 25.06.2018 in Complaint Case No.58 of 2017/359 of 2016 passed by the learned Special Judge SC/ST, Aurangabad registered under Sections 323,504,354,379 of the Indian Penal Code, 3/4of the Dyne Act and Sections 3(i)(r) (s)of the Scheduled Castes and Scheduled Tribes Act.

The complaint based allegation as well as statement of the witness No.2 examined during inquiry would reveal that there is general and omnibus allegation of commission of assault etc. Appellants have stated on



oath that they have got no criminal antecedent and complaint case was filed to save skin from the counter case bearing Goh P.S.Case No.116 of 2016 lodged by appellant- Indu Devi.

Considering the entire facts 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 anticipatory bail on furnishing bail bond of Rs.20,000 (Twenty Thousand) each with two sureties of the like amount each to the satisfaction of 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 and further 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 this appeal stands allowed.

(Birendra Kumar, J)

Nitesh/-

AFR/NAFR	NAFR
CAV DATE	NA
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