

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.2954 of 2018

Arising Out of PS.Case No. -150 Year- 2018 Thana -PANCHRUKHI District- SIWAN

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1. Guddu Kumar,
2. Ajay Kumar Both Sons of Gautam Sah @ Gautam Prasad, R/o Vill.- Sahlaur
(Pachrukhi), P.S.- Sarai O.P., District- Siwan.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Raghav Prasad, Adv

For the Respondent/s : Mr. Binay Krishna, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 02-11-2018

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 11.07.2018 in A.B.P. No.1099 of 2018 passed by the learned 1st Additional Sessions Judge-cum-Special Court, Siwan in connection with Pachrukhi (Sarai) P.S.Case No. 150 of 2018 registered under Sections 147, 148, 149, 323, 341, 342, 333, 353, 307 of the Indian Penal Code and Sections 3(1)(r)(s)/3(2)(va) of the Scheduled Castes and Scheduled Tribes Act.

A man died in a road accident and the villagers had



blocked the road traffic. When the police came for removal of obstruction, the mob allegedly abused by taking caste name of the police officer, who is a member of scheduled caste.

Considering the general and omnibus nature of 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 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 both bailors shall be resident of territorial jurisdiction of the learned court below 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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