

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No. 3179 of 2018

Arising Out of PS.Case No. -14 Year- 2018 Thana -SC/ST District- SARAN

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1. Shankar Singh, Son of Late Raghunath Singh
 2. Sunil Kumar Singh, Son of Shankar Singh
 3. Chhathu Kumar Singh, Son of Shankar Singh
 4. Anil Kumar Singh, Son of Shankar Singh, All residents of Village : Baghmarar, P.S. Parsa, District : Saran.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Sanjana, Advocate

For the Respondent/s : Smt. Usha Kumari No. 1, S.P.P.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 06-10-2018

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 16.07.2018 in ABP No. 2058 of 2018 passed by the learned 1st Additional Sessions Judge-cum-Special Judge S.C./S.T. (POA) Act, Saran at Chapra in connection with Saran SC/ST P.S. Case No. 14 of 2018 registered under Sections 341, 406, 323, 504, 506 of the Indian Penal Code as well as Sections 3(i)(r) of the SC/ST Act.

Appellant No. 1 Shankar Singh has already been arrested in this case. Hence, his prayer for anticipatory bail has become infructuous.

The informant was in business relationship with appellant no. 1 Shankar Singh. Money was due with Shankar Singh. When, the



informant demanded money, the other appellants, who are sons of Shankar Singh, allegedly abused and assaulted and committed theft.

Considering the facts of this case and statement of the appellants that they have got no criminal antecedent, let the other 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/- (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 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 as well as condition that both the bailors shall be resident of within the territorial jurisdiction of the learned court below.

Accordingly, the impugned order is set aside and this appeal stands allowed.

(Birendra Kumar, J)

Kundan/Rajan

AFR/NAFR	N.A.
CAV DATE	N.A.
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