

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2783 of 2018

Arising Out of PS. Case No.-463 Year-2017 Thana- ARA NAGAR District- Bhojpur

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1. Manoj Kumar @ Manoj Kumar Singh, S/o Late Sachidanand Singh,
 2. Bhimsen @ Bhimsen Singh, Son of Late Chida Nand Singh,
 3. Kumar Sobyasachi @ Kumar Sabyasachi, Son of Parmanand Singh, All resident of Shivganj, Police Station- Ara Town, District- Bhojpur.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Mrigendra Pratap Singh
For the Respondent/s : Smt. Usha Kumari No-1

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 30-08-2018

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 14.06.2018 passed by the learned 1st Additional Sessions Judge, Bhojpur at Ara in A.B.P. No.762 of 2018, arising out of Ara (T) Police Station Case No.463 of 2017 (S.C./S.T. P.S. Case No.606 of 2017) registered under Sections 147, 148, 149, 341, 323, 427, 353, 379, 504, 506 of the Indian Penal Code and Section 3 (1)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

The appellants are shopkeepers. The informant and others were engaged in removal of encroachment from the public land and on



that occasion allegation is that the appellants abused to the labours by taking their caste name.

Submission is that false implication is there just to pressurize. The appellants had no knowledge about the caste of the associates of the informant.

Considering the facts of this case 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/- (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 conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the appellants shall fully co-operate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bonds of the appellants.

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

(Birendra Kumar, J)

abhishek/-

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Uploading Date	
Transmission Date	

