

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3475 of 2018

Arising Out of PS. Case No.-113 Year-2018 Thana- ISHAKCHAK District- Bhagalpur

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1. Raj Kumar Jha, S/o Prishambhar Jha,
 2. Sandhya Jha @ Sandhya Rani Jha, W/o Raj Kumar Jha.
 3. Sakshi Jha @ Sakshi Kumari, D/o Raj Kumar Jha, All Residents of Mohalla- Naya Tola, Bhikhanpur, Gumti No. 12, Shiva Mandir Gali, P.S.- Ishakchak, District- Bhagalpur.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Uday Prakash Shrarma
For the Respondent/s : Smt. Usha Kumari No-1

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 06-12-2018

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 21.08.2018 passed by the learned 3rd Additional Sessions Judge, Bhagalpur in A.B.P. No.1688 of 2018, arising out of Ishakchak Police Station Case No.113 of 2018 registered under Sections 341, 323, 504/34 of the Indian Penal Code and Sections 3 (2) (va), 3 (1)(X) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.



The offences of the Indian Penal Code alleged against the appellants are bailable and appellants have stated on oath that they have got no criminal antecedent. There is case and counter case for the occurrence of the same date.

Considering the 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 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/-

AFR/NAFR	NAFR
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