

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.3644 of 2018

Arising Out of PS. Case No.-8 Year-2018 Thana- SANJHOLI District- Rohtas

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1. Shashi Muni Kumar son of Shiv Muni Singh.
 2. Satendra Yadav son of Gopal Yadav.
 3. Mantu Yadav son of Gopal Yadav. All residents of Village-Garura, P.O. and P.S.- Sanjhauli, District- Rohtas... .. Appellant/s
- Versus

The State of Bihar

.. ... Respondent/s

Appearance :

For the Appellant/s : Mr. Kameshwar Singh, Adv

For the Respondent/s : Mr. Smt Usha Kumari No-1,SPP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 10-12-2018

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 21.08.2018 in Sanjhauli P.S.Case No.08 of 2018 passed by the learned 1st Additional Sessions Judge-cum-Special Judge SC/ST, Rohtas at Sasaram registered under Sections 341,342,504,506,337,224/34 of the Indian Penal Code and Sections 3(i)(r)(s) of the Scheduled Castes and Scheduled Tribes Act.

Co-accused-Gopal Yadav had filed Cr.Appeal (SJ)No.325 of 2018 on 19.01.2018 for grant of anticipatory bail in connection with Sanjhauli P.S.Case No.09 of 2017. In the same case, the police arrested Gopal Yadav on 29.01.2018. The allegation is that the appellants abused the informant, who is a Sub Inspector of Police to get forceful release of Gopal Yadav.



Submission is that false allegation has been levelled, as the appellants were requesting the police that since the anticipatory bail matter is pending before the High Court, Gopal Yadav need not be arrested in the case. Further submission is that the appellants have got no other criminal antecedent save and except the aforesaid Sanjhauli P.S. Case No.09 of 2017.

Considering the background of allegation and 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 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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