

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.3528 of 2018

Arising Out of PS. Case No.-89 Year-2016 Thana- RAGHOPUR District- Vaishali

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1. Upendra Rai S/o Manak Rai,
 2. Manak Rai @ Monak Rai, S/o Late Chalitar Rai
 3. Surendra Rai S/o Manak Rai All resident of Village- Rustampur Sarsiya, P.S.- Raghopur (Rustampur O.P.), District- Vaishali.
- Appellant/s

Versus

The State of Bihar

.. ... Respondent/s

Appearance :

For the Appellant/s : Smt. Rina Sinha, Adv

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

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 07-12-2018

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 04.08.2018 in A.B.P. No.1351 of 2018 arising out of Raghopur P.S.Case No.89 of 2016 passed by the learned Additional Sessions Judge I, Vaishali at Hajipur registered under Sections 323,341,379,504,308/34 of the Indian Penal Code and Sections 3(i)(x) of the Scheduled Castes and Scheduled Tribes Act.

For trivial dispute arising out of tying the cow at the land claimed by the parties, there is allegation of commission of abuse and assault.

Submission is that the appellants have got no



criminal antecedent. They are neighbours of the informant and exaggerated statement is there in the FIR.

Considering the facts of this case, 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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