

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1046 of 2018

Arising Out of PS.Case No. -246 Year- 2017 Thana -MAHUA District- VAISHALI(HAJIPUR)

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1. Sanjeev Sah, Son of Suresh Sah.
 2. Mantosh Kumar, Son of Gauri Singh.
 3. Meghnath Das, Son of Sukhdew Das @ Bishuni Das @ Bisuni Das. All residents of Village- Mirja Nagar Paharpur, Police Station- Mahua, District- Vaishali.
 4. Vivek Kumar Rai @ Vivek Ram, Son of Shankar Rai @ Shankar Ram, Resident of Village- Mirja Nagar, Daudpur, Police Station- Mahua, District- Vaishali.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Manish Chandra Gandhi, Advocate
For the Respondent/s : Mr. Sadanand Paswan, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 29-06-2018

Heard learned counsel for the parties.

This is an appeal under Section 14 (A) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, (hereinafter referred to as the "S.C./S.T. Act") against the refusal of prayer for anticipatory bail vide order dated 04.12.2017 passed in A.B.P. No.1961 of 2017 and A.B.P. No.2137 of 2017, by the learned Additional Sessions Judge-I, Vaishali at Hajipur, in connection with Mahua P.S. Case No.246 of 2017, registered under Sections 147, 149, 34, 323, 353, 506, 504 of the Indian Penal Code and Section 3(1) (R) (S) of the S.C./S.T. Act.



The appellants were identified among the mob on the basis of photographs and CCTV footage. The mob was protesting against the Police administration. There is general and omnibus allegation of obstruction in discharge of official duty as well as abuse and assault.

Considering the nature of allegation 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 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 and 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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CAV DATE	
Uploading Date	
Transmission Date	

