

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No. 531 of 2018

Arising Out of PS.Case No. -null Year- null Thana -null District- NAWADA

1. Ashok Singh, S/o Kamta Singh, R/o Village - Dayali Bigha, P.S. - Hisua,
District - Nawada.

.... Appellant

Versus

1. The State of Bihar

.... Respondent

With

Criminal Appeal (SJ) No. 715 of 2018

Arising Out of PS. Case No. -2 Year- 2018 Thana -SC/ST District- NAWADA

1. Mantu Kumar, Son of Krishnanand Singh.
2. Rajiv Kumar, Son of Navin Singh.
3. Aditya Singh, Son of Kamta Singh.
4. Krishnadeo Singh @ Krishanandan Singh, Son of Kamta Singh.
Resident of all persons are village Dayali Bigha, P.S. Hisua, District
- Nawada

.... Appellants

Versus

1. The State of Bihar.

.... Respondent

With

Criminal Appeal (SJ) No. 991 of 2018

Arising Out of PS.Case No. -2 Year- 2018 Thana -SC/ST District- NAWADA

1. Lakhan Singh, Son of Late Kuli Singh,
2. Sharan Singh, Son of Late Kuli Singh,
3. Nawlesh Kumar @ Naresh Kumar @ Nawlesh Singh, S/o Banshi Singh,
4. Satish Kumar @ Satish Singh, Son of Sri Lakhan Singh, All the resident of
Village - Dayali Bigha, P.S. - Hisua, District- Nawada.

.... Appellants

Versus

1. The State of Bihar.

.... Respondent

Appearance :

(In CR. APP (SJ) No.531 of 2018)

For the Appellant/s : Mr.

For the Respondent/s : Mr.

(In CR. APP (SJ) No.715 of 2018)

For the Appellant/s : Mr.

For the Respondent/s : Mr.

(In CR. APP (SJ) No.991 of 2018)

For the Appellant/s : Mr.

For the Respondent/s : Mr.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT



Date: 28-06-2018

Heard learned counsel for the parties.

These appeals 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 orders dated 03.02.2018, 29.01.2018 and 29.01.2018 passed in A.B.P No. 121 of 2018/14 of 2018, A.B.P No. 124 of 2018 and A.B.P No. 124 of 2018 respectively by the learned 1st Additional Sessions Judge, Nawada in connection with Nawada SC/ST P.S. Case No. 02 of 2018 registered under Sections 147, 149, 341, 323, 504, 379 of the Indian Penal Code as well as Sections 3(i)(r)(s) of the SC/ST Act.

According to FIR, the informant along with three others were going on a road. At the same time, the appellants asked her not to go on the said road as she belongs to scheduled caste and allegedly committed assault and abuse also besides commission of theft.

Submission of the learned counsel for the appellants is that the case diary would reveal that for dispute between children of the two families for playing cricket another case was lodged and that was the reason for the present case. In fact, there is no material to substantiate that the appellants were intending to humiliate a member



of the scheduled caste.

Learned Special Public Prosecutor has opposed the prayer for bail.

Considering the aforesaid fact, 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/production of a copy of this order, be released on bail on furnishing bail bond 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 bond of the appellants.

Accordingly, the impugned orders are set aside and these appeals stand allowed.

(Birendra Kumar, J)

Kundan/-

AFR/NAFR	N.A.
CAV DATE	N.A.
Uploading Date	06.07.2018
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