

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No. 999 of 2018

Arising Out of PS.Case No. -5 Year- 2018 Thana -SC/ST District- JEHANABAD

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1. Kiran Devi @ Kiran Kumari, Wife of Arun Mistri @ Arun Kumar,
 2. Niraj Mistri, Son of Ramashray Mistri,
 3. Birmanu Mistri, Son of Ramashray Mistri,
 4. Uday Mistry @ Uday Misty, Son of Ramashray Mistri,
 5. Tutu Mistri @ Tutu Misti, Son of Rajendra Mistry,
 6. Suraj Mistri @ Suraj Misti, Son of Ramji Mistri,
 7. Sudhir Mistri @ Sudhir Misti, Son of Visheshwar Mistri, All are resident of Village- Lochna Chak, P.S.- Kako, District- Jehanabad.
 8. Pintu Mistri @ Pintu Misti, Son of Late Saryug Mistri, Resident of Village- Larsa, P.S.- Parasbigha, District- Jehanabad.

.... Appellant/s

Versus

1. The State of Bihar.
2. Sharda Devi, Wife of Bindeshwar Das, Resident of Village- Lochna Chak, P.S.- Kako, District- Jehanabad.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr.

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 24-04-2018

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 by the learned 1st Additional Sessions Judge-cum-Special Judge, Jehanabad in SC/ST P.S. Jehanabad Case No. 05 of 2018 registered under Sections 147, 148, 341, 323, 337, 448, 504, 506, 379, 509 of the Indian Penal Code as well as Section 3(i)(r)/3(i)(s)/3(ii)(va) of the SC/ST Act.

For land dispute, litigation is pending in the court



between the parties. In the aforesaid background, allegation is against 20 persons named in the FIR including the appellants to have committed abuse and assault against the informant.

Considering the background 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 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 bond of the appellants.

Accordingly, the impugned order is set aside and this appeal stands allowed.

(Birendra Kumar, J)

Kundan/-

AFR/NAFR	N.A.
CAV DATE	N.A.
Uploading Date	25.04.2018
Transmission Date	25.04.2018

