

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No. 1501 of 2018

Arising Out of PS.Case No. -123 Year- 2017 Thana -MAJORGANJ District- SITAMARHI

- =====
1. Raj Narayan Sah, Son of Late Bhullar Sah,
 2. Jai Narayan Sah, Son of Late Bhullar Sah, Both R/o Village- Dumari Khurd,
P.S.- Mejarganj, District- Sitamarhi.

.... Appellant/s

Versus

1. The State of Bihar.

.... 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: 15-05-2018

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, SC/ST Sitamarhi in Mejarganj P.S. Case No. 123 of 2017 registered under Sections 341, 323, 427, 435, 506, 504 of the Indian Penal Code as well as Section 3(i)(u)(s) of the SC/ST Act.

Both sides are close neighbours. For trivial dispute, allegation is of commission of abuse and assault by taking caste name of the informant. It is stated that the neighbours are not ready to support the case of the informant for the reason that the appellants are



powerful persons. There was dispute between the two neighbours and appellants had no intention to humiliate a member of the scheduled caste. They have stated on oath that they have got no criminal antecedent.

Hence, 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	
Transmission Date	

