

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1579 of 2018

Arising Out of PS.Case No. -56 Year- 2014 Thana -SC/ST District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Ranju Devi, Wife of Suresh Prasad.
 2. Parmanand Prasad, Son of Late Dasai Prasad.
 3. Ajay Prasad, Son of Late Laxmi Narayan Prasad.
 4. Birendra Prasad, Son of Parmanand Prasad.
 5. Guddi Devi, Wife of Ajay Prasad.
 6. Lallan Prasad, Son of Late Shiv Pujan Prasad.
 7. Sanjay Prasad Son of Late Shiv Pujan Prasad. All are resident of Village/Mohalla- Ghoghiya, Police Station- Ghorasahan Jitna, District- East Champaran.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Dilip Kumar Tondon, Advocate
For the Respondent/s : Mr. Binay Krishna, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 17-07-2018

Heard learned counsel for the parties.

Appellant No.7 SanjayPrasad has already been arrested.

Hence, his prayer for anticipatory bail is dismissed as infructuous.

This is an appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer for anticipatory bail vide order dated 04.04.2018 passed by the learned Additional Sessions Judge 1st -cum- Special Judge (S.C./S.T. Act), East Champaran, Motihari, in A.B.P. No.531 of 2018, arising out of Motihari SC/ST Police Station Case No. 56 of 2014, registered under Sections 147/148/341/ 323/ 504/



506/427/354/324/307 of the Indian Penal Code and Section 3(i)(iv)(x)(xi) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Considering the general and omnibus nature of allegations of Indian Penal Code which are mostly bailable as well as the counter case, let the remaining 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/- (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/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 the appeal is allowed.

(Birendra Kumar, J)

Mkr./-

AFR/NAFR	NAFR
CAV DATE	NA
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