

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Appeal (SJ) No.723 of 2018**

Arising Out of PS.Case No. -245 Year- 2017 Thana -DURAULI District- SIWAN

- =====
1. Sunil Kumar Singh, S/o Chhotku Singh,
  2. Manoj Kumar Singh, S/o Indrajit Singh, Both resident of Village- Done Khurd,  
P.S.- Darauli, District- Siwan.

.... .... Appellant/s

Versus

1. The State of Bihar.

.... .... Respondent/s

=====

**Appearance :**

For the Appellant/s : Mr. Prabhakar Singh, Advocate  
For the Respondent/s : Mr. Sadanand Paswan, S.P.P.

=====

**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR**

**ORAL JUDGMENT**

**Date: 28-06-2018**

Heard learned counsel for the parties.

This is an appeal under Section 14A(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 order dated 05.02.2018 passed in A.B.P. No. 1992 of 2017 by the learned 1<sup>st</sup> Additional Sessions Judge-cum-Special Judge (S.C./S.T.), Siwan in connection with Darauli P.S. Case No. 245 of 2017 registered under Sections 341, 323, 504 and 506/34 of the Indian Penal Code as well as Section 3(1)(r)/ 3(1)(s) of the SC/ST Act.

There is general and omnibus allegation of commission of abuse and assault by the appellants against the informant who is a member of the scheduled caste.



Submission is that the appellants had ploughed the field of the informant and were demanding the charges which the informant was not ready to pay and just to pressurize, present false case has been lodged.

Considering the background and 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/Sanjeev

|                   |  |
|-------------------|--|
| AFR/NAFR          |  |
| CAV DATE          |  |
| Uploading Date    |  |
| Transmission Date |  |

