IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1067 of 2018

Arising Out of PS.Case No. -145 Year- 2017 Thana -MASRAKH District- SARAN

==========

1. Babu Ram Singh, S/o Late Chhabila Singh,
2. Mukesh Singh S/o Baburam Singh,
3. Dilip Kumar Singh @ Dilip Singh, S/o Late Sipahi Singh,
4. Laloo Singh @ Santu Singh S/o Sitaram Singh, All R/o Village- Shekhpura, P.S.- Mashrakh, District- Saran. .... Appellant/s

Versus

1. The State of Bihar .... Respondent/s

==========

Appearance :
For the Appellant/s : Mr. Harish Kumar, Adv
For the Respondent/s : Mr. Binay Krishna, SPP

==========

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT
Date: 05-07-2018

Heard learned counsel for the parties.

This is an appeal under Sections 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, against refusal of the prayer for anticipatory bail by order dated 08.02.2018 by the learned 1st Additional Sessions Judge, Saran at Chapra in connection with Mashrakh P.S.Case No. 145 of 2017 registered under Section 406 of the Indian Penal Code as well as under Sections 3(iii)(x) of the Scheduled Castes and Scheduled Tribes Act.

The quarrel between the two parties started on bargain for sale and purchase of a cow and in that course, the appellants allegedly abused the complainant by taking caste name.

The nature of allegation does not reveal that the appellants were intending to humiliate a member of the

WEB COPY

scheduled caste.

Learned counsel for the informant opposed the prayer for anticipatory bail.

Considering the entire facts of this case as disclosed in the complaint petition, in my view, the appellants deserve for protection of law. Accordingly, 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 anticipatory bail on furnishing bail bond of Rs.20,000 (Twenty Thousand) each with two sureties of the like amount each to the satisfaction of 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 and both bailors shall be resident of territorial jurisdiction of the learned court below and further 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 this appeal stands allowed.

(Birendra Kumar, J)

Nitesh/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	06.07.2018
Transmission Date	06.07.2018

WEB COPY