

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1668 of 2018

Arising Out of PS. Case No.-1106 Year-2016 Thana- COMPLAINT CASE District- Araria

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1. Sudhir Roy @ Sudhir Kumar Roy, son of Late Manikchand Roy,
 2. Kailash Roy, Son of Sudhir Roy,
 3. Jaiprakash Roy, Son of Late Manikchand Roy,
 4. Golu Roy @ Jyotish Kumar Roy, Son of Jaiprakash Roy, All resident of village- Kuwan Pokhar, P.S.- Sikti, District- Araria, Bihar.

... .. Appellant/s

Versus

1. The State of Bihar.
2. Meena Devi Wife of Deenbandhu Ram, Resident of Village Kuwan Pokhar, P.S. Sikti, District- Araria, Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Sanjay Kumar Sharma
For the Respondent/s : Smt Usha Kumari No-1

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 17-07-2018

Heard learned counsel for the parties.

This is an appeal under Section 14 (A) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 2016 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for anticipatory bail vide order dated 27.03.2018 passed by the learned 1st Additional Sessions Judge-cum-Special Judge, Araria in A.B.P. No.357 of 2018, in connection with Spl. (SC/ST) Case No.218 of 2017, arising out of Complaint Case No.1106-C of 2016 registered under Sections 323, 427, 354, 379, 504 of the Indian Penal Code and Section 3 (i)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

There is land dispute between the parties, which would be evident from *Annexure-2*.



In the aforesaid background, complaint based allegation is that the appellants committed assault and theft in the house of the informant.

Considering the background 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 conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the appellants shall fully co-operate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bonds of the appellants.

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

(Birendra Kumar, J)

abhishek/-

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CAV DATE	
Uploading Date	
Transmission Date	

