

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1974 of 2018

Arising Out of PS.Case No. -496 Year- 2016 Thana -AMARPUR District- BANKA

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1. Ranjit Choudhary.
 2. Pawan Choudhary, Both Sons of Late Sita Prasad Choudhary.
 3. Sanjay Choudhary.
 4. Bipin Choudhary, Both Sons of Late Mothari Choudhary.
 5. Chhotu Kumar @ Chhotu Choudhary, son of Sanjay Choudhary.
 6. Skikul Kumar @ Sikul Choudhary, son of Bipin Choudhary, All are resident of Village- Mohaddinagar, (Gopalpur), P.S. Amarpur, District- Banka.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Brij Nandan Prasad, Advocate

For the Respondent/s : Mr. Sadanand Paswan, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 07-08-2018

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 against the refusal of prayer for anticipatory bail vide order dated 09.05.2018 passed by the learned Additional Sessions Judge-I, Banka, in A.B.P. No.497 of 2018, in connection with Amarpur Police Station Case No.496 of 2016, registered under Section 147/148/149/341/323/337/379/504/506 of the Indian Penal Code and Sections 3(i)(viii)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.



There is land dispute for possession between the parties and a proceeding under Section 144 Cr.P.C. was initiated vide Annexure-3. In the aforesaid background allegation of commission of abuse by taking caste name as well as assault and theft.

Considering the background and general and omnibus 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/- (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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