

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.2681 of 2018

Arising Out of PS.Case No. -16 Year- 2018 Thana -SC/ST District- AURANGABAD

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1. Hargobind Singh, S/o Late Radhe Singh
2. Sundari Devi, D/o Hargobind Singh
3. Guddu Singh
4. Mukesh Kumar Both Sons of Hargobind Singh R/o Village-Patel Nagar
(Petrol- Tanki) Akodha, P.S.-Daudnagar, District-Aurangabad, (Bihar).
.... Appellant/s

Versus

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

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Appearance :

For the Appellant/s : Mr. Bachanjee Ojha, Advocate
For the Respondent/s : Mr. Binay Krishna, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 27-09-2018

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 02.07.2018 by the learned Additional Sessions Judge-I-cum-Special Judge (S.C./S.T. Act), Aurangabad, in Aurangabad SC/ST Case No.16 of 2018, registered under Sections 147/341/323/379/504/506 of the Indian Penal Code and Sections 3(i)(r)/3(1)(s)/3(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

For the alleged occurrence dated 22.05.2018 the complaint petition was filed on 25.05.2018. When the informant came to know that appellant Hargovind Singh was in custody since 16.05.2018 in



connection with SC/ST Case No.10 of 2018 the complainant corrected the date of occurrence with pen as 13.05.2018. Most of the offences of the Indian Penal Code alleged against the appellants are bailable. Civil dispute is the reason behind the case.

Considering the aforesaid fact, 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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