

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

**Criminal Appeal (SJ) No.2762 of 2018**

Arising Out of P.S.Case No. -61 Year- 2015 Thana -SC/ST District- SAMASTIPUR

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1. Pappu Kumar Sah, S/o Late Brahmdeo Sah.  
2. Deepak Kumar Sah S/o Late Brahmdeo Sah. Both residents of Mohalla Barah  
Patther Ward No. 15, P.S. Town, District- Samastipur. .... Appellant/s  
Versus  
1. The State of Bihar. .... Respondent/s

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**Appearance :**

For the Appellant/s : Mr. Rajeev Ranjan, Adv  
For the Respondent/s : Smt. Usha Kumari No.1, SPP

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

**ORAL JUDGMENT**

**Date: 11-09-2018**

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 18.06.2018 in A.B.P. No.1231 of 2018 passed by the learned 1<sup>st</sup> Additional Sessions Judge, Samastipur in connection with SC/ST Samastipur P.S.Case No. 61 of 2015 corresponding to G.R.No. 2700 of 2015 registered under Sections 341,323,504,506,34 of the Indian Penal Code and Sections 3(i)(x) of the Scheduled Castes and Scheduled Tribes Act.

The informant claims to be tenant of the father of the appellants. After death of the father of the appellants, the appellants asked for vacating the premise and for that reason, committed abuse and assault.



Submission is of false implication. Police submitted final form after investigation of the case. Appellants have got no criminal antecedent.

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 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/-

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