

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.2752 of 2018

Arising Out of PS.Case No. -140 Year- 2018 Thana -RAMNAGAR District-
WESTCHAMPARAN(BETTIAH)

- =====
1. Bittu Sah @ Amresh Kumar
 2. Brijesh Sah, Both sons of Dhrup Sah, resident of Village- Ramnagar, Thakurbari Tola, P.S. - Ramnagar, District- West Champaran.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Bimlesh Kumar Pandey, Advocate
For the Respondent/s : Smt. Usha Kumari No.1, 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 14.06.2018 passed by the learned Additional Sessions Judge-I-cum-Special Judge, Bettiah, West Champaran, in A.B.P. No.1081 of 2018, arising out of Ramnagar Police Station Case No.140 of 2018, registered under Sections 341/323/504/34 of the Indian Penal Code and Sections 3(i)(r) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Submission is that the informant wanted to dig drainage on



the land of the appellants and for that reason an altercation had taken place. None of the witnesses has supported the aforesaid allegation before the police.

Finding substance in the submission aforesaid, 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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