

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1909 of 2018

Arising Out of PS.Case No. -43 Year- 2017 Thana -NAUGACHIA District- BHAGALPUR

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1. Awadhesh Prasad Singh @ Aabdhesh Singh @ Awadhesh Singh, Son of Late Dhodhai Singh,
2. Ramanuj Singh @ Ramanuj Kumar, Son of Awadhesh Prasad Singh @ Aabdhesh Singh @ Awadhesh Singh, Both resident of Village- Mahdatpur, P.S.- Naugachhia, District- Bhagalpur. Appellant/s

Versus

1. The State of Bihar. Respondent/s

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Appearance :

For the Appellant/s : Mr. Sanjeev Kumar, Adv

For the Respondent/s : Mr. Binay Krishna, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 03-08-2018

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 25.04.2018 in A.B.P. No.698 of 2018 passed by the learned Sessions Judge, Bhagalpur in connection with Naugachhia P.S.Case No. 43 of 2017 registered under Sections 147,148,149,323,504,506,448,379,380,354,307 of the Indian Penal Code, Section 27 of Arms Act as well as under Sections 3(X) of the Scheduled Castes and Scheduled Tribes Act.

For the occurrence dated 03.12.2015, initially complaint was filed on 25.02.2016 which was subsequently registered as present police case on 07.03.2017. The allegation is general and omnibus against the appellants and others of



commission of abuse and assault.

Submission is that specific allegation against the appellants is of commission of theft which is a cooked up story. The appellants have got no such criminal antecedent.

Considering the aforesaid facts, 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/-

AFR/NAFR	NAFR
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