

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.2256 of 2018

Arising Out of PS.Case No. -28 Year- 2018 Thana -NTPC District- PATNA

- =====
1. Uday Singh, Son of Late Jago Singh @ Yogendra Singh
 2. Dipu Singh @ Dipu Kumar, Son of Late Mangal Singh
 3. Manish Kumar, Son of Uday Singh
 4. Prince Kumar, Son of Ajay Singh

All resident of Village - Pandachak, P.S. - N.T.P.C. Dist. - Patna.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr.

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 09-08-2018

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 (hereinafter referred to as the "SC/ST Act") against the refusal of prayer for anticipatory bail vide order dated 30.05.2018 in A.B.P. No. 3665 of 2018 passed by the learned 5th Additional Sessions Judge-cum-Special Judge S.C./S.T. (POA) Act, Patna in connection with NTPC P.S. Case No. 28 of 2018 registered under Sections 147, 148, 149, 341, 323, 447, 307, 504, 506 of the Indian Penal Code as well as Sections 3(i)(x) of the SC/ST Act.

Appellant no. 3 Manish Kumar is dead now, hence, his prayer for anticipatory bail is infructuous.



There is general and omnibus allegation of commission of assault against the appellants for the reason that the transformer of electricity caught fire, hence, the informant disconnected the electric supply which was not liked by the FIR named accused persons including the appellants.

Learned counsel for the informant opposed the prayer for bail.

Learned Special Public Prosecutor opposed the prayer for bail.

Considering the general and omnibus nature of allegation and the statement of the appellants on oath that they have got no criminal antecedent, in my view, the appellants deserve anticipatory bail, 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/- (rupees 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 as well as condition that both the bailors shall be resident of within the territorial jurisdiction of the learned court below.

Accordingly, the impugned order is set aside and this appeal stands allowed.

(Birendra Kumar, J)

Kundan/-

AFR/NAFR	N.A.
CAV DATE	N.A.
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