

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2432 of 2018

Arising Out of PS. Case No.-143 Year-2017 Thana- TEKARI District- Gaya

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1. Rahul Kumar, S/o Nagesh Sharma, R/o Guraru Niwas, Lakhbagh Manpur, Gaya, Near Dalmiyan Compund Chota Hanuman Mandir, P.S.- Manpur, District- Gaya.
 2. Raushan Kumar @ Rangnath Kumar S/o Krishna Sharma, R/o Vill.- Sherpura, P.S.- Alipur, Sadopur, District- Gaya.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Vikas Kumar, Advocate
For the Respondent/s : Mr. Binay Krishna, SPP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date : 01-11-2018

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 07.03.2018 passed by the learned Exclusive Special Judge (S.C./S.T. Act), Gaya, in A.B.P. No.47 of 2018/791 of 2018, arising out of Tekari Police Station Case No.143 of 2017, registered under Sections 147/148/149/323/307/509/504/506/345 of the Indian Penal Code, Section 27 of the Arms Act and Section 3(I)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The allegation is of general and omnibus nature against



the FIR named accused persons of commission of abuse and assault, when the informant forbade them to lift the sand from the river. The appellant is not named in the FIR.

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 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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