

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.2479 of 2018

Arising Out of PS.Case No. -113 Year- 2015 Thana -HASPURA District- AURANGABAD

- =====
1. Basant Rawani, S/o Prasidh Rawani,
 2. Prasidh Rawani, S/o late Neman Rawani, Both R/o Village- Khuthan, P.S.- Haspura, District- Aurangabad (Bihar).

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Bachan Jee Ojha, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 16-08-2018

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 against the refusal of prayer for anticipatory bail vide order dated 21.06.2018 passed by the learned Additional Sessions Judge 1st -cum-Special Judge (S.C./S.T. Act), Aurangabad, in Haspura Police Station Case No.113 of 2015, registered under Sections 341/323/379/504/506/34 of the Indian Penal Code and Sections 3(i) (x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

There is case and counter case between the parties.
Allegation is general and omnibus.



Submission is that offences alleged under the Indian Penal Code are bailable save and except ornamental allegation of commission of theft. Appellants have got no criminal antecedent.

Finding substances in the submissions 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./-

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CAV DATE	NA
Uploading Date	
Transmission Date	

