

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2664 of 2018

Arising Out of PS. Case No.-2269 Year-2016 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

-
1. Vijay Sah, Son of Late Jodhi Sah,
 2. Pappu Kumar, Son of Vijay Sah, Both Resident of Village-
Kushahar, Police Station- Kesariya, District- East Champaran.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Dhurendra Kumar
For the Respondent/s : Smt. Usha Kumari No-1

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

5 30-11-2018 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 30.05.2018 by the learned 1st Additional Sessions Judge cum Special Judge (S.C./S.T. Act), East Champaran, Motihari, in A.B.P. No. 369 of 2018, arising out of Complaint Case No. 2269 of 2016 registered under Sections 341,323,379,427,504,506,34 of the Indian Penal Code and Sections 3 (i)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Allegation against the appellants is of abuse to the informant.



After investigation the police did not send up the appellants for trial. However, on protest petition the learned court below has taken cognizance against the appellants.

Learned counsel for the informant opposes the prayer for anticipatory bail of the appellants.

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)

khushbu/-

U		T	
---	--	---	--

