

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No. 2673 of 2018

Arising Out of PS.Case No. -56 Year- 2018 Thana -JANTA BAZAR District- SARAN

- =====
1. Anil Kumar Singh @ Anil Singh, Son of Late Sudama Singh, resident of Senduar, Bhisya Tola, P.S. Janta Bazar, District - Saran. Permanent Address at Village - Merhuka, P.O. + P.S. - Sahajitpur, District - Saran at Chapra.
 2. Raja Singh.
 3. Sonu Singh @ Sonu Kumar Singh,
 4. Monu Singh @ Manu Kumar @ Salu Singh, All (2 to 4) are sons of Sri Suresh Singh, resident of Village - Senduar, Bhisya Tola, P.S. Janta Bazar, District- Saran.

.... Appellant/s

Versus

1. The State of Bihar through the Special P.P., S.C & S.T (Prevention of Atrocities) Act.

.... 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: 24-08-2018

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 12.06.2018 in A.B.P. No. 1771 of 2018 passed by the learned 6th Additional Sessions Judge-cum-Special Judge S.C./S.T. (POA) Act, Saran at Chapra in connection with Janta Bazar P.S. Case No. 56 of 2018 registered under Sections 341, 323, 307, 427, 504, 506, 326B, 379,



353/34 of the Indian Penal Code, Section 27 of the Arms Act, Section 45 of the Bihar Prohibition and Excise Act, 2016 as well as Sections 3(1)(r)(s) of the SC/ST Act.

The FIR would reveal that the police team had gone to arrest accused Munna Singh, brother of the appellant Raja Singh. Both were on a tractor. They started fleeing and dashed against the police vehicle thereafter the police reached at the poultry farm of the appellants. At that place, some more accused persons came and scuffled with the police as well as committed abuse and assault by taking caste name of a constable who was member of the police party.

Submission is of false implication which is general and omnibus.

Learned Special Public Prosecutor opposed the prayer for bail.

Considering the general and omnibus nature of allegation, 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.
Uploading Date	27.08.2018
Transmission Date	27.08.2018

