

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2384 of 2018

Arising Out of PS. Case No.-18 Year-2018 Thana- MOTIHARI MUFASIL District- East
Champaran

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1. Jangali Sharma @ Doleshwar Sharma,
 2. Ruplal Sharma,
 3. Bhageshwar Sharma, All are sons of Late Ramchandra Sharma,
 4. Munna Sharma,
 5. Dilip Sharma @ Dilip Kumar Sharma, Both are Sons of Jangali Sharma,
 6. Amit Sharma @ Amit Kumar Sharma,
 7. Govinda Kumar @ Govind Sharma, Both are sons of Sakal Sharma,
 8. Vikash Kumar,
 9. Nitish Kumar, Both are sons of Late Nagina Sharma,
 10. Santosh Prasad @ Santosh Kumar, Son of Late Motilal Prasad,
 11. Sitaram Sah @ Sitaram Prasad, Son of Bhikari Sah, All are resident of Village- Madhubani Ghat, P.S.- Muffasil, District- East Champaran.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 10-08-2018

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 01.06.2018 passed by the learned 1st Additional Sessions Judge-cum-Special Judge, S.C./S.T. (POA) Act, East Champaran, Motihari in A.B.P. No.637 of 2018, arising out of Motihari Muffasil Police Station Case No.18 of 2018



registered under Sections 341, 342, 323, 307, 379, 504, 506 of the Indian Penal Code and Sections 3 (i)(r) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

There is case and counter case. The injury report at *Annexure-3* series would reveal that simple injury caused by hard and blunt substance was found by the Doctor. The parties have entered into compromise vide *Annexure-4*.

Hence, 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 conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the appellants shall fully co-operate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bonds of the appellants.

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

(Birendra Kumar, J)

abhishek/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

