

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.2959 of 2018

Arising Out of P S. Case No. - 171 Year - 2017 Thana - PAKRIDAYAL District - EASTCHAMPARAN (MOTIHARI)

- =====
1. Lalan Sahani
 2. Rakesh Sahani, Both Sons of Babulal Sahani,
 3. Rameshwar Mahto, S/o Kishundeo Mahto
 4. Kapildeo Mahto, S/o Late Jaldhari Mahto, All Residents of Vill. - Dumarbana, Ward No. 8, P.S. - Pakaridayal, District - East Champaran.

.... Appellant/s

Versus

1. The State of Bihar

.... 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: 31-08-2018

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 08.06.2018 in A.B.P. No. 1036 of 2018 passed by the learned 1st Additional Sessions Judge-cum-Special Judge S.C./S.T. (POA) Act, East Champaran at Motihari in connection with Pakaridayal P.S. Case No. 171 of 2017 registered under Sections 147, 148, 149, 323, 324, 354B, 504, 506, 448, 341, 379 of the Indian Penal Code as well as Sections 3(i)(r) of the SC/ST Act.

Though the appellants are also named in the FIR, however, the main allegation disclosing offence under the provisions of the SC/ST Act and other offences under the Indian Penal Code is against



Ram Janam Rai. Appellants have got no criminal antecedent.

Learned Special Public Prosecutor opposed the prayer for bail.

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	04.09.2018
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