

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Appeal (SJ) No.2984 of 2018**

Arising Out of PS. Case No.-457 Year-2017 Thana- RAMNAGAR District- West Champaran

1. Janak Sah son of Satyanarain Sah
2. Shrawan Sah son of Satyanarain Sah
3. Kanti Devi wife of Satyanarain Sah, All are residents of Village- Beili Belwa, Police Station- Ramnagar, District- West Champaran.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

**Appearance :**

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

**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR**  
**ORAL JUDGMENT**

**Date : 06-10-2018**

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 09.07.2018 passed by the learned Additional Sessions Judge-I-cum-Special Judge, West Champaran, Bettiah in A.B.P. No.1141 of 2018, arising out of Ram Nagar Police Station Case No.457 of 2017 registered under Sections 406, 420, 447, 504, 506, 120(B) of the Indian Penal Code and Sections 3 (i) (r) (f) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

The main allegation is against co-accused, *Guddu Rai* to have entered into an oral agreement with the informant to sale the



land, which was subsequently found to be *Gairmajarua Maalik* in nature. Later on, *Guddu Rai* refused to refund the consideration money.

Allegation against the appellants is of commission of abuse and assault.

Considering the background and general and omnibus nature of allegation as well as statement of the appellants on oath that they have got no criminal antecedent, 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/-

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