

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1728 of 2018

Arising Out of PS.Case No. -300 Year- 2015 Thana -RIGA District- SITAMARHI

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1. Pravin Kumar Singh.
2. Navin Kumar Singh @ Navin Kumar.
3. Arvind Kumar Singh. All sons of Late Kameshwar Singh, All are Resident of Village- Hanuman Nagar, Police Station- Riga, District- Sitamarhi... Appellant/s
Versus

1. The State of Bihar Respondent/s

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Appearance :

For the Appellant/s : Mr. Sunil Prasad Singh, Adv

For the Respondent/s : Mr. Sadanand Paswan, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 03-08-2018

Heard learned counsel for the parties.

This is an appeal under Sections 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, against refusal of the prayer for anticipatory bail by order dated 04.04.2018 in A.B.P. No.463 of 2018/139 of 2018 passed by the learned 1st A.D.J.-cum-Special Judge, Sitamarhi in connection with Riga P.S.Case No. 300 of 2015 registered under Sections 341,323,447,435,504 of the Indian Penal Code, Sections 3(i)(x)(2)(iii) of the Scheduled Castes and Scheduled Tribes Act and 27 of Arms Act.

The offences of the Indian Penal Code are bailable. After investigation, the police has submitted final form, not sending up the appellants for trial. However, the learned Trial Court has differed with the finding and taken cognizance on 17.10.2017, as submitted by the learned counsel for 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 anticipatory bail on furnishing bail bond of Rs.20,000 (Twenty Thousand) each with two sureties of the like amount each to the satisfaction of 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 and both bailors shall be resident of territorial jurisdiction of the learned court below and further 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 this appeal stands allowed.

(Birendra Kumar, J)

Nitesh/-

AFR/NAFR	NAFR
CAV DATE	NA
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