

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3138 of 2018

Arising Out of PS. Case No.-214 Year-2016 Thana- DARIYAPUR District- Saran

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1. Umesh Singh @ Umesh Prasad Singh,
 2. Bajrangi Singh @ Bajrangbali Singh, Both sons of Late Ramprit Singh @ Ramvrit Singh,
 3. Ajit Singh @ Ajit Kumar Singh son of Late Nagendra Singh,
 4. Bhuna Singh @ Bhuneshwar Singh, son of Late Yogendra Singh,
 5. Ajay Singh,
 6. Ashok Singh @ Ashok Kumar Singh, Both sons of Surendra Singh,
 7. Tilu Singh @ Brajesh Singh son of Bajrangi Singh @ Bajrangi.
- All resident of Village- Srinagar Matihan, P.S.- Dariyapur, District- Saran at Chapra.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Dewendra Narayan Singh, Advocate
For the Respondent/s	:	Mr. Binay Krishna, SPP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 10-12-2018

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 against the refusal of prayer for anticipatory bail vide order dated 25.07.2018 passed by the learned 1st Additional Sessions Judge, Saran at Chapra, in A.B.P. No.2107 of 2018, arising out of Dariyapur Police Station Case No.214 of 2016, registered under Sections 341/323/ 324/ 379 / 354/34 of the Indian Penal Code and Section 3(x) of the



Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

According to the FIR, the son of the informant was returning after cutting fodder from the field of Shiv Kumar Singh, the appellants and others allegedly intercepted and committed assault and abuse.

Submission is that false case has been lodged by suppressing the real fact inasmuch as the son of the informant had cut away crop from the field of the appellants, which is just by the side of the field of Shiv Kumar Singh, which would be evident from the copy of the registered sale-deed and other documents produced along with the supplementary affidavit. The appellants have got no criminal antecedent.

Considering the material brought on the record through supplementary affidavit, 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/- (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.

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

(Birendra Kumar, J)

Mkr./-

AFR/NAFR	NAFR
CAV DATE	NA
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