

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.3132 of 2018

Arising Out of P.S. Case No. -247 Year- 2018 Thana -SUGAULI District- EASTCHAMPARAN
(MOTIHARI)

- =====
1. Ravi Kumar Son of Late Madan Prasad.
 2. Tunna @ Mahesh Kumar Son of Jagarnath Prasad.
 3. Sandip Kumar Son of Lal Babu Prasad.
 4. Sudhanshu Kumar Son of Raju Sah.
 5. Lav Kumar Prasad @ Aditya Gupta Son of Shatrudhan Prasad.
1 to 5 are resident of village-Chhapawa, P.S.-Sugauli, District-East Champaran.
 6. Amit Kumar Son of Jai Narayan Prasad Kushwaha, Resident of Village-Sugaon, P.S.- Sugauli, District-East Champaran. Appellant/s
- Versus

The State of Bihar Respondent/s

=====

Appearance :

For the Appellant/s : Mr. Rajesh Kumar, Adv

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

=====

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 12-09-2018

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 31.07.2018 in A.B.P. No.1983 of 2018 passed by the learned 1st Addl. Sessions Judge-cum-Special Judge SC/ST, East Champaran Motihari in connection with Sugauli P.S. Case No. 247 of 2018 registered under Sections 341, 323, 342, 504, 506/34 of the Indian Penal Code and Sections 3(i)(r)(s) of the Scheduled Castes and Scheduled Tribes Act.

There is general and omnibus allegation that the appellants assaulted to the son of the informant alleging therein that he had stolen some articles. The offences of the Indian



Penal Code alleged against the appellants areailable and they have stated on oath that they have got no criminal antecedent.

Considering the general and omnibus nature of allegation and other facts as stated above, 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
Uploading Date	13.09.2018
Transmission Date	13.09.2018

