

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.3227 of 2018

Arising Out of PS.Case No. -347 Year- 2017 Thana -DARIYAPUR District- SARAN

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1. Rana Singh @ Rana Pratap Singh, S/o Rabindra Singh @ Ravindranath Singh,
2. Sundhanshu Singh @ Sudhanshu Singh S/o Sanjay Singh, Both R/o Vill.-
Matihan, P.S.- Dariyapur, District- Saran at Chapra.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Dewendra Narayan Singh, Adv

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 10-10-2018

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 24.07.2018 in A.B.P. No.2016 of 2018 passed by the learned 1st Additional Sessions Judge, Saran at Chapra in connection with Dariyapur P.S.Case No. 347 of 2017 registered under Sections 147,148,149,341,323,354,452,379,427,436 of the Indian Penal Code and Sections 3(ii)(r) of the Scheduled Castes and Scheduled Tribes Act.

Allegation in the FIR is of commission of abuse and



assault as well as theft of household articles including ornaments.

However, submission of the learned counsel for the appellants is that the case diary would reveal that witnesses have stated before the police that the informant was in the habit of selling toddy on the land of the appellants and the appellants had forbade the informant in the past, for that reason, informant was abusing in the market to the appellants. Some of the appellants have gone to complain about that, just to pressurize, false case has been lodged. Appellants have got no criminal antecedent.

Considering the aforesaid fact, 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 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	12.10.2018
Transmission Date	12.10.2018

