

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3490 of 2018

Arising Out of PS. Case No.-358 Year-2015 Thana- MASAUDHI District- Patna

-
1. Mantu Kumar, S/o Shyam Nandan Singh,
 2. Rahul Kumar S/o Shyam Bihari Singh, Both R/o Vill.- Nura,
P.S.- Masaurhi, Distt.- Patna.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Bindeshwar Prasad Singh
For the Respondent/s : Mr. Sri Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 06-12-2018

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 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for anticipatory bail vide order dated 26.07.2018 passed by the learned Special Judge SC/ST Act-cum-Additional Sessions Judge-V, Patna in A.B.P. No.5366 of 2018, arising out of Masaurhi Police Station Case No.358 of 2015 registered under Sections 307, 427, 323/34 of the Indian Penal Code and Sections 3 (i)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

The informant was mending the B.P.L. Meter in the house of *Ajit Singh*, after disconnecting the supply of electricity from the transformer. The appellants and others connected the supply of



electricity causing electric shock to the informant and death of a buffalo of *Ajit Singh*.

Submission is that *Ajit Singh* has filed an affidavit stating therein that no electric work was going on in his house. Moreover, there is no eyewitness to show that the appellants had in fact connected the electric supply.

Considering the nature of allegation and lack of material, 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/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	07.12.2018
Transmission Date	07.12.2018

