

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3499 of 2018

Arising Out of PS. Case No.-31 Year-2018 Thana- SC/ST District- Katihar

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1. Abhishek Kumar Choudhary @ Abhishek Kumar.
 2. Mukesh Kumar Choudhary @ Vicky Choudhary. Both are sons of Krishna Narain Choudhary.
 3. Asha Devi wife of Krishna Narain Choudhary.
 4. Dhiren Choudhary son of Dilip Choudhary, All resident of Village- Roshna Bazar, P.S.- Pranpur, District- Katihar.

... .. Appellant/s

Versus

1. The State of Bihar.
2. Putul Devi wife of Banbari Paswan, resident of Roshna Bazar, P.S.- Pranpur, District- Katihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Satyendra Narayan, Advocate
For the Respondent/s : Smt Usha Kumari No-1, SPP

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 against the refusal of prayer for anticipatory bail vide order dated 14.08.2018 passed by the learned 1st Additional Sessions Judge cum Special Judge (S.C./S.T. Act), Katihar, in A.B.P. No.66 of 2018, arising out of Katihar SC/ST Police Station Case No. 31 of 2018, registered under Sections 323/452/380/354/509 of the Indian Penal Code



and Sections 3(i) (r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The main allegation is against co-accused Krishna Narayan Chaudhary to have committed house trespass and attempted to physically abuse the complainant in drunken condition. Due to the aforesaid act, in the subsequent act of abuse and assault the appellants also participated.

Considering the general and omnibus nature of allegation against the appellants and the statement on oath that they have got no criminal antecedent, 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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