

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.81 of 2018

Arising Out of PS.Case No. -238 Year- 2016 Thana -ATRI District- GAYA

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1. Sukesh Singh.
 2. Lago Singh, both sons of Jitendra Singh.
 3. Dinesh Singh, son of Tripit Singh.
 4. Santosh Singh son of Late Jairam Singh.
 5. Padum Singh son of Late Raja Singh.
 6. Jitendra Singh son of Amin Singh.
 7. Dipu Singh @ Dipu Kumar Singh, son of Tita Singh.
 8. Balik Singh son of Kapil Singh. All are resident of Village- Shahjadpur,
Police Station- Atri, District- Gaya.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Manish Kumar No-2

For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 11-01-2018

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 by the learned Special Judge (S.C./S.T.), Gaya in Atri P.S. Case No. 238 of 2016 registered under Sections 147, 149, 341, 323, 324, 504, 337, 338 of the Indian Penal Code as well as Section 3(i)(r)(5)(4) of the SC/ST Act.



For land dispute, the appellants, allegedly, committed assault.

The FIR does not disclose ingredients of any offence under the provisions of the SC/ST Act. Hence, bar under Section 18 of the SC/ST Act is not attracted.

In the circumstances, 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 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 and trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the appellants.

Accordingly, this appeal stands allowed.

(Birendra Kumar, J)

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