

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.954 of 2018

Arising Out of PS.Case No. -32 Year- 2015 Thana -SC/ST District- SITAMARHI

- =====
1. Vimal Rai @ Vimlesh Kumar
 2. Sanjay Rai
 3. Sanjiv Rai @ Sandeep Rai
 4. Vijay Rai All Sons of Chandeshwar Rai Resident of Village- Ramnagra,
P.S.- Riga, District- Sitamarhi.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

=====

Appearance :

For the Appellant/s : Mr. Prabhat Kumar, Advocate

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

=====

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 10-04-2018

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 by the learned 1st Additional Sessions Judge-cum-Special Judge (S.C./S.T. Act), Sitamarhi, in connection with Sitamarhi SC/ST Police Station Case No. 32 of 2015 registered under Sections 341/323/354/504/34 of the Indian Penal Code and Sections 3(i)(x)(xi) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Though there is general and omnibus allegation of commission of abuse by taking caste name as well as commission



of assault.

Submission of the learned counsel for the appellants is that police has submitted final form. However, the learned Magistrate disagreeing with the police report has taken cognizance against the appellants.

Learned counsel for the informant opposed the prayer on the ground that in the past also similar offence was committed and Sitamarhi SC/ST P.S. Case No.1 of 2013 was registered. Just to pressurize in the earlier case the present occurrence took place.

Considering the entire facts and the general and omnibus allegation against the appellants, 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./-

U		T	
---	--	---	--

