

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.432 of 2018

Arising Out of PS.Case No. -8 Year- 2017 Thana -MAIGRA District- GAYA

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1. Preman Bhuiyan, Son of Hardeo Bhuiyan,
 2. Juganu Bhuiyan @ Jugal Kumar, Son of Hardeo Bhuiyan,
 3. Surendra Bhuiyan, Son of Late Panchu Bhuiyan,
 4. Jattu Bhuiyan, Son of Late Panchu Bhuiyan,
 5. Ramjee Bhuiyan @ Ranjit Kumar, Son of Ramratan Bhuiyan,
 6. Rambriksh Bhuiyan, Son of Mohan Bhuiyan, All resident of Village-
Naghari, P.S.- Maigra, District- Gaya.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Sudhir Kumar Sinha, Advocate

For the Respondent/s : Smt Usha Kumari No-1, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 15-03-2018

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 bail by the learned 9th Additional Sessions Judge-cum-Special Judge (S.C./S.T. Act), Gaya, in connection with Maigra Police Station Case No.8 of 2017 registered under Sections 147/148/323/325/307/504 of the Indian Penal Code and Sections 3/4 of the Prevention of Witch Practices Act and Section 3(1)(b) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

There is general and omnibus allegation against the



appellants to have assaulted to the brother of the informant alleging therein that he is involved in witch craft.

Submission is that the allegation is general and omnibus. The appellants have stated on oath that they have got no criminal antecedent and they are in custody since 03.10.2017.

Considering the aforesaid fact, let the appellants, above named, be released on bail on furnishing bail bond 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, with 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 appeal is allowed.

(Birendra Kumar, J)

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