

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4218 of 2018

Arising Out of PS. Case No.-211 Year-2017 Thana- DHARHARA District- Munger

1. Chhotu Sah @ Chhotu Kumar @ Pramod Kumar Son of Jogi Sah @ Jogendra Sah
2. Jogi Sah @ Jogendra Sah Son of Late Basdev Sah @ Basu Sah Both are Resident of Village/Muhalla- Sarobag, P.S. Dharhara, Distt.- Munger.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Sanjiv Kumar Singh

For the Respondent/s : Mr.Sri Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 21-12-2018

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 01.10.2018 passed by the learned Additional Sessions Judge-1st-cum-Special Judge, SC/ST Act, Munger in A.B.P. No.1330 of 2018, arising out of Dharhara Police Station Case No.211 of 2017 registered under Sections 341, 323, 379, 504/34 of the Indian Penal Code and Sections 3(i)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

The offences of the Indian Penal Code alleged against the appellants are general and omnibus and mostly bailable in nature,



save and except the allegation of commission of snatching of Rs.2000/- (Rupees Two Thousand) from the pocket of the informant as well as gold chain, which appears to be ornamental one. The appellants have stated on oath that they have got no criminal antecedent. There is case and counter case.

Considering the aforesaid facts, 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
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