

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.775 of 2018

Arising Out of PS.Case No. -3 Year- 2018 Thana -SIMRI District- BUXAR

- =====
1. Manoj Singh, Son of Jagdama Singh.
 2. Ranjeet Singh @ Munna Singh, Son of Jagdama Singh.
 3. Lalita Devi, Wife of Jagdama Singh.
 4. Maya Devi, Wife of Manoj Singh.
 5. Rubi Devi, Wife of Ranjeet Singh @ Munna Singh.
 6. Anki Devi, Wife of Hridayanand Singh.
 7. Mohit Kumar Singh @ Mohit Singh, Son of Manoj Singh. All are
Resident of Village- Balihar, Police Station- Simari, District- Buxar.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

=====

Appearance :

For the Appellant/s : Mr. Arvind Kumar Tewary

For the Respondent/s : Mr. Sadanand Paswan

=====

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 29-03-2018

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 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for anticipatory bail by the learned 1st Additional Sessions Judge-cum-Special Judge (S.C./S.T. Act), Buxar in Simri P.S. Case No. 03 of 2018 registered under Sections 147, 149, 341, 323, 353, 389, 504, 506 of the Indian Penal Code as well as Section 3(i)(r)(s), 3(2)(v)(a) of the SC/ST Act.

Allegation against the appellants is of



commission of abuse and assault to the informant who is the Sub-Inspector of Police and had gone along with the police party to conduct some inquiry.

Submission is that the allegation is general and omnibus whereas to attract the offence of the SC/ST Act, the attribution must be specific.

Finding substance in the submission aforesaid, 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)

Kundan/-

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

