

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.233 of 2018

Arising Out of PS.Case No. -189 Year- 2017 Thana -GORIAKOTHI District- SIWAN

- =====
1. Pratap Padit @ Pratap Pandit, son of Brija Pandit @ Brija Padit.
 2. Dhumal Padit @ Dhumal Pandit @ Rahul Pandit, son of Pratap Padit @ Pratap Pandit.
 3. Mangal Padit @ Mangal Pandit Both sons of Pratap Padit @ Pratap Pandit.
 4. Gudia Kumari @ Gudiya Kumari D/o Pratap Padit @ Pratap Pandit. All resident of Village- Saidpura, Police Station- Goriakothi, District- Siwan.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Bijay Prakash Singh

For the Respondent/s : Mr. Smt Usha Kumari No-1

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 13-02-2018

Heard learned counsel for the parties.

This is an appeal under Section 14(A) 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, Siwan, in Goriakothi Police Station Case No.189 of 2017 registered under Sections 341/323/324/354/504/34 of the Indian Penal Code and Section 3(1)(i) (r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The occurrence allegedly took place inside the house of the informant and not in public view. Hence, bar under Section



18 of the Act is not applicable. There is general and omnibus allegation of commission of abuse and assault.

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/- (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)

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