

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.321 of 2018

Arising Out of PS.Case No. -163 Year- 2017 Thana -KESARIA District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Ganesh Sah @ Ganesh Kumar @ Ganesh Kumar Sah,
 2. Rameshwar Sah
 3. Dinesh Sah All sons of Late Jagnath Sah,
 4. Nandi Sah
 5. Jagnath Sah @ Jagarnath Sah Both sons of Jiut Sah,
 6. Santu Sah
 7. Rajendra Sah Both sons of Udhho Sah
 8. Bala Sah, son of Dwarika Sah,
 9. Chhathu Sah, son of Satya Narayan Sah, All Residents of Village-
Kathariya, P.S. Kesariya, District- East Champaran.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Abhishek Kumar @ Sonu Babu, Adv
For the Respondent/s : Mr. Sadanand Paswan, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 05-03-2018 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-cum-Special Judge (S.C./S.T. Act), East Champaran at Motihari, in Keshariya Police Station Case No.164 of 2017 registered under Sections 147/148/149/341/323/324/325/307/379/504/506 of the Indian Penal Code and Section 3(i) (x) of the Scheduled Castes and



Scheduled Tribes (Prevention of Atrocities) Act, 1989.

There is case and counter case and the FIR does not reveal that the occurrence of abuse, assault and theft took place in public view.

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 appeal stands allowed.

(Birendra Kumar, J)

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