

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1856 of 2018

Arising Out of PS.Case No. -140 Year- 2018 Thana -SUPAUL District- SUPAUL

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1. Ghanshyam Sah,
2. Shyam Sunder Sah, Both sons of Fulo Sah,
3. Fulo Sah, Son of Late Bhadeshwar Sah, resident of Village- Laukaha, Ward no.
9, Police Station & Distt.- Supaul. Appellant/s

Versus

1. The State of Bihar. ... Respondent/s

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Appearance :

For the Appellant/s : Mr. Rajiva Ranjan, Adv
For the Informant : Mr. Murari Narain Chaudhary, Adv
: Mr. Mohit Shrivastava, Adv
: Mr. Vijay Kumar, Adv
For the Respondent/s : Smt. Usha Kumari No.1, Adv

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 24-07-2018

Heard learned counsel for the parties.

This is an appeal under Sections 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, against refusal of the prayer for anticipatory bail by order dated 17.04.2018 passed by the learned A.D.J.-1st, Supaul in connection with Special SC/ST.-140 of 2018 arising out of Supaul P.S.Case No.140 of 2018 registered under Sections 341,323,448,354A,379,504,34 of the Indian Penal Code and Sections 3(i)(r)(s) of the Scheduled Castes and Scheduled Tribes Act.

Title Suit No.161 of 2017 is going on between the parties. A copy of the plaint is at Annexure-3.

In the aforesaid background, allegation is of commission of abuse and assault by committing house trespass



in the house of the informant.

Learned counsel for the informant opposed the prayer for anticipatory bail.

Considering the background of allegation, 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 anticipatory bail on furnishing bail bond of Rs.20,000 (Twenty Thousand) each with two sureties of the like amount each to the satisfaction of 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 and both bailors shall be resident of territorial jurisdiction of the learned court below and further 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 this appeal stands allowed.

(Birendra Kumar, J)

Nitesh/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	27.07.2018
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