

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.2325 of 2018

Arising Out of PS.Case No. -251 Year- 2016 Thana -KESARIA District- EASTCHAMPARAN
(MOTIHARI)

- =====
1. Maheshwar Dwivedi @ Maheshwar Dubey, S/o Late Satyadeo Dubey,
 2. Tribhuwan Sah S/o Late Agam Sah, Both R/o Vill.- Benipur, P.S.- Kesariava,
District- East Champaran.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Sunil Kumar Pandey, Advocate
For the Respondent/s : Mr. Binay Krishna, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 10-08-2018

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 against the refusal of prayer for anticipatory bail vide order dated 16.05.2018 passed by the learned 1st Additional Sessions Judge-cum-Special Judge (S.C./S.T. Act), East Champaran, Motihari, in A.B.P. No.901 of 2018, arising out of Keshariya Police Station Case No.251 of 2016, registered under Sections 143/144/145/283/341/342/353/324/325/307/337/338/427/504/506 of the Indian Penal Code and Sections 3(i) (x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

A crowd had blocked the road traffic when the informant



along with other police went to remove the blockage. The named persons abused by taking caste name. The appellants were also identified among them.

Considering the general and omnibus nature 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 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)

Mkr./-

AFR/NAFR	NAFR
CAV DATE	NA
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