

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.3463 of 2018

Arising Out of PS.Case No. -332 Year- 2018 Thana -BEGUSARAI MUFFASIL District-
BEGUSARAI

- =====
1. Sima Kumari, Wife of Rajendra Rai, Resident of Village- Papraur, P.S.- Barauni, Dist- Begusarai.
 2. Bittu Singh @ Bittu Kumar, Son of Birju Singh @ Briju Singh, Resident of Village- Rajaura, P.S.- Muffasil, Dist- Begusarai.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Sandip Kumar Gautam, Advocate

For the Respondent/s : Mrs. Usha Kumari No. 1, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 09-10-2018

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 07.07.2018 passed by the learned Special Judge, S.C./S.T. (POA) Act, Begusarai, in A.B.P. No. 1458 of 2018, arising out of Muffasil Police Station Case No. 332 of 2018, registered under Section 420/34 of the Indian Penal Code and Sections 3(1)(r)/3(2)v(a) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The FIR would reveal that on being asked by Birju Singh, father of appellant Bittu Singh, the informant gave Rs.2,00,000/- to



Rajendra Rai for purchase of the referred land. The sale-deed was not executed by Rajendra Rai nor money was refunded; rather allegation is of abuse and assault by taking caste name.

Considering the background of the allegation and the statement of the appellants on oath that they have got no criminal antecedent, 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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