

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3541 of 2018

Arising Out of PS. Case No.-135 Year-2018 Thana- DULHIN BAZAR District- Patna

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1. Ram Kaleshwar Das @ Ram Kalewar Das Son of Late Ram Chandra Das, resident of Village- Kadirganj, P.S. Dulhin Bazar, District- Patna.
 2. Bhola Das @ Bhola Mochi, Son of Ram Kaleshwar Das, resident of Village- Kadirganj, P.S. Dulhin Bazar, District- Patna.
 3. Ram Narayan Das, Son of Ram Kaleshwar Das, resident of Village- Kadirganj, P.S. Dulhin Bazar, District- Patna.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Sanjay Kumar Singh, Adv
For the Respondent/s : Mr. Sri Sadanand Paswan, SPP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 07-12-2018

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 23.07.2018 in Spl. A.B.P. No.4492 of 2018 in Spl. Case No.274 of 2018 arising out of Dulhin Bazar P.S.Case No.135 of 2018 passed by the learned Special Judge SC/ST-cum-Addl. Sessions Judge V, Patna registered under Sections 147, 148, 323, 341, 307, 504, 506 of the Indian Penal Code and Sections 3(i)(x) of the Scheduled Castes and Scheduled Tribes Act.

Submission is that the appellants are also



members of the scheduled caste and they were identified in the mob of 100 people. Allegation is general and omnibus of commission of assault etc.

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 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 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	10.12.2018
Transmission Date	10.12.2018

