

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4013 of 2018

Arising Out of PS. Case No.-37 Year-2018 Thana- SC/ST District- Patna

1. Sanjeet Kumar @ Sanjeev Kumar Son of Sri Jawahar Singh
2. Ranjeet Kumar Son of Sri Jawahar Singh
3. Jawahar Singh Son of Late Hari Ray
4. Tunna Ray @ Tunna Kumar Son of Sri Lakshami Prasad
5. Suresh Kumar Ray Son of Late Hari Ray All Resident of Village-
Manpur Bairiya, P.S. Gopalpur, Distt.-Patna Appellant/s
Versus
The State of Bihar Respondent/s

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT
Date : 18-12-2018

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 24.09.2018 in A.B.P. No.7015 of 2018 passed by the learned 4th Additional District and Sessions Judge-cum-Special Judge SC/ST, Patna in connection with SC/ST P.S. Case No. 37 of 2018 registered under Sections 147, 148, 341, 323, 504 and 506 of the Indian Penal Code and Sections 3(i)(r) 3(1)(g)(2) and (Va) of the Scheduled Castes and Scheduled Tribes Act.

The FIR would reveal that there is dispute between the parties whether there is any Rasta or not by the side of land purchased by the informant. For that reason, allegation is of commission of abuse and assault.



Submission is that allegation is general and omnibus. Appellants have got no criminal antecedent. The background of dispute would reveal that the prosecution has been lodged with malafide intention.

Considering the facts of this case aforesaid, 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	20.12.2018
Transmission Date	20.12.2018

