

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.3369 of 2018

Arising Out of PS. Case No.-130 Year-2017 Thana- DARIYAPUR District- Saran

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1. Deepak Rai @ Deepak Kumar, S/o Jalandhar Rai,
 2. Upendra Rai S/o Late Mahatma Rai,
 3. Horil Sah S/o Late Prasad Sah, All resident of Vill.- Dharmagal, P.S.- Dariyapur, District- Saran.
 4. Pankaj Kumar Sah @ Pankaj Sah S/o Late Raj Kishore Sah, R/o Vill.- Semarahia, P.S.- Dariyapur, District- Saran... .. Appellant/s
- Versus

The State of Bihar

.. ... Respondent/s

Appearance :

For the Appellant/s : Mr. Vijay Kumar Srivastva, Adv

For the Respondent/s : Mr. Smt Usha Kumari No-1SPP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date : 04-12-2018

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 24.07.2018 in A.B.P. No.1549 of 2018 passed by the learned 1st Additional Sessions Judge, Saran at Chapra in connection with Dariyapur P.S.Case No. 130 of 2017 registered under Sections 147, 148, 149, 341, 323, 437, 504, 506 of the Indian Penal Code and Sections 3(i)(r) and 3(2)(V) of the Scheduled Castes and Scheduled Tribes Act.

There is general and omnibus allegation against the appellants of commission of abuse and



assault to the informant, who is a local Mukhiya for the reason that informant is member of scheduled caste.

Submission is that the allegation is general and omnibus. Appellants have got no criminal antecedent and the appellants have just complained about some embezzlement of public money by the Mukhiya and non-disbursement of money of the Govt. Scheme to the beneficiaries.

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
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