

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3833 of 2018

Arising Out of PS. Case No.-226 Year-2015 Thana- BHAGWAN BAZAR District- Saran

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1. Nagendra Rai @ Nagendra Prasad Yadav, Son of late Madan Prasad Yadav
 2. Lalita Devi, Wife of Nagendra Rai @ Nagendra Prasad Yadav, Resident of Mohalla- Swami Viveka Nand Colony, Ratnapura, P.S.-Bhagwan Bazar, District-Saran at Chapra.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Yugal Kishore
For the Respondent/s	:	Mr. Sri Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 13-12-2018

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 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for anticipatory bail vide order dated 13.09.2018 passed by the learned 1st Additional Sessions Judge, Saran at Chapra in A.B.P. No.2355 of 2018, arising out of Bhagwan Bazar Police Station Case No.226 of 2015 registered under Sections 341, 323, 504, 506/34 of the Indian Penal Code and Sections 3 (1) (x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.



The offences of the Indian Penal Code alleged against the appellants are bailable. The appellants have got no criminal antecedent. The allegation is general and omnibus of commission of injury to the son of the informant with brickbat.

Considering the aforesaid facts, 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/- (Rupees 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 conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the appellants shall fully co-operate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bonds of the appellants.

Accordingly, the impugned order is set aside and this appeal stands allowed.

(Birendra Kumar, J)

abhishek/-

AFR/NAFR	NAFR
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