

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.4011 of 2018

Arising Out of PS. Case No.-32 Year-2018 Thana- SC/ST District- East Champaran

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1. Mahendra Rai Son of Late Yado Rai @ Yadolal Rai Resident of Village-Kadama,P.S. Rajepur,Distt.-East Champaran
 2. Tullu Rai @ Jitendra Rai Son of Sukul Rai Resident of Village-Narha Tola Hazwa, P.S. Rajepur,Distt.-East Champaran

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Anil Kumar, Adv

For the Respondent/s : Mr. Binay Krishna,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 04.07.2018 in A.B.P. No.1359 of 2018 passed by the learned 1st Additional Sessions Judge-cum-Special Judge SC/ST Act, East Champaran at Motihari in connection with Motihari SC/ST P.S.Case No. 32 of 2018 registered under Sections 147,149,341,323,354B,379,504 of the Indian Penal Code and Sections 3(1)(d) (r)(s) of the Scheduled Castes and Scheduled Tribes Act.

The appellants allegedly committed assault, abuse etc for the reason that appellants were apprehending that the son of the informant had induced a girl of the family of the appellants to go with him. There is counter



case also relating to abduction of the girl of the family of the appellants. The appellants have stated on oath that they have got no criminal antecedent other than a case lodged by the family members of the informant.

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 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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