

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.855 of 2018

Arising Out of PS.Case No. -645 Year- 2017 Thana -MOTIHARI MUFA SIL District-
EASTCHAMPARAN(MOTIHARI)

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1. Nathuni Singh Son of Raghu Nandan Singh
2. Subodh Singh Son of Sri Narayan Singh
3. Suraj Kumar@ Suraj Singh Son of Subodh Singh
4. Rajeev Singh@ Kanhaiya Singh@ Rajeev Kumar Singh Son of Subodh Singh
All resident of Village Loksa, P.S. Muffasil, District East Champaran.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :
For the Appellant/s : Mr. Shakil Ahmad Khan, Advocate
For the Respondent/s : Mr. Sadanand Paswan, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 19-06-2018

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 against the refusal of prayer for anticipatory bail by the learned 1st Additional Sessions Judge-cum- Special Judge (S.C./S.T. Act) East Champaran at Motihari, in connection with Motihari (Muffasil) Police Station Case No.645 of 2017 registered under Sections 147/148/149/341/342/323/393/353/186/504/506/307 of the Indian Penal Code and Sections 3(i) (r) (s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The specific allegation of commission of assault by taking caste name of the informant, who is a police officer, is against co-



accused Shyam Sunder Singh and Jitendra Singh. Allegation against the appellants is general and omnibus.

Submission is that past criminal cases between the two co-villagers are the reason for the present false case because the police was interested and helping the opponent.

Considering the facts 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 bail on furnishing bail bonds of Rs.20,000/- (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 the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that 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 the appeal is allowed.

(Birendra Kumar, J)

Mkr./-

AFR/NAFR	NAFR
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