

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1040 of 2018

Arising Out of PS.Case No. -105 Year- 2018 Thana -MASAURHI District- PATNA

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1. Tunna Kumar @ Ankit Kumar Son of Sri Umesh Prasad
 2. Naulesh Kumar Son of Late Ajab Yadav @ Ajab Prasad Yadav
 3. Munchun Kumar @ Amit Kumar @ Mun Mun Kumar Son of Sri Naresh Mohan Prasad
 4. Sumit Kumar Son of Sri Naresh Mohan Prasad All of the above resident of Village - Gangachak, Malikana, P.O. + P.S. - Masaurhi, District - Patna.
 5. Golu Yadav @ Golu Son of Sri Shailendra Yadav resident of Village - Shivaji Nagar, Satisthan, P.O. + P.S. - Masaurhi, District - Patna.
 6. Manikant Yadav @ Manikant Kumar Son of Sri Bindeshwar Prasad Yadav resident of Village - Purani Bazar, P.O. + P.S. - Masaurhi, District - Patna.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Anuj Kumar, Advocate
For the Respondent/s : Mr. Binay Krishna, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT
Date: 28-06-2018

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 vide order dated 14.03.2018 passed in A.B.P. No.1618 of 2018 by the learned Special Judge (S.C./S.T. Act)-cum-Additional Sessions Judge-V, Patna, in connection with Masaurhi Police Station Case No.105 of 2018 registered under Sections 147/148/149/341/323/504/506/379 of the Indian Penal Code and Sections 3(i) (r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.



Appellant No. 2 Naulesh Kumar had lodged Masaurhi P.S. Case No.650 of 2017 against the named persons and submission is that just to pressurize in that case, the present false case has been lodged with allegation that the appellants allegedly assaulted and abused to the informant.

Considering the background and 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 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	
CAV DATE	NA
Uploading Date	
Transmission Date	

