

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1382 of 2018

Arising Out of PS.Case No. -163 Year- 2014 Thana -TEKARI District- GAYA

- =====
1. Manish Singh @ Manish Kumar, Son of Budhan Singh,
 2. Deepak Singh @ Deepak Kumar, Son of Santu Singh, All Resident of Village-Ahiyapur, P.S.-Konch, District-Gaya.
 3. Dhananjay Singh, Son of Mohan Singh, Resident of Village-Satipur Kaithi, P.S.-Anti District-Gaya.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Shivendra Prasad, Advocate

For the Respondent/s : Mr. Sadanand Paswan, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 19-07-2018

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 21.02.2018 passed by the learned Exclusive Special Judge (S.C./S.T. Act), Gaya, in T.R. No.76 of 2017, arising out of Konch Police Station Case No.163 of 2014, registered under Sections 341/323/342/504/34 of the Indian Penal Code and Section 3(i)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The appellants allegedly abused and assaulted the father of



the informant for the reason that he has demanded his due wages.

Submission of the learned counsel for the appellants is that the available case-diary would reveal that there is no eyewitness of the occurrence and just to put wrongful pressure false case has been lodged. The appellants have got no criminal antecedent.

Considering the aforesaid fact, 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
CAV DATE	NA
Uploading Date	21.07.2018
Transmission Date	21.07.2018

