

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1354 of 2018

Arising Out of PS.Case No. -176 Year- 2017 Thana -SIKTA District-
WESTCHAMPARAN(BETTIAH)

- =====
1. Vipin Kunwar, S/o Late Manager Kunwar,
 2. Bablu Kunwar @ Bablu Kumar S/o Musafir Kunwar, Both are R/o Village-Shikarpur, P.S.- Sikta, District- West Champaran.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 05-07-2018

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 08.03.2018 passed by the learned Special Judge-cum-Additional Sessions Judge-I, Bettiah, West Champaran, in A.B.P. No.208 of 2018, arising out of Sikta Police Station Case No.176 of 2017 registered under Sections 341/323/354B/379/504/34 of the Indian Penal Code and Sections 3(i)(r) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The buffalo of the informant had damaged the crop of the appellants and for that occurrence the family members of the



appellants had lodged Sikta P.S. Case No.177 of 2017. The present FIR also reveals that in the background of same dispute the appellant allegedly committed abuse and assault by taking caste name of the informant.

Considering the background and the 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	NAFR
CAV DATE	NA
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