

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1641 of 2018

Arising Out of PS.Case No. -54 Year- 2015 Thana -SC/ST District- NAWADA

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1. Bhuneshwar Singh, Son of Late Devi Singh.
 2. Prabhat Kumar Singh, Son of Bhuneshwar Singh
 3. Diwakar Kumar @ Diwakar Kumar Singh, Son of Bhuneshwar Singh.
 4. Shanti Devi Wife of Bhuneshwar Singh, all residents of Village- Gopal Nagar, Nawada, Police Station- Nawadah, District- Nawada.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Parashuram Singh, Adv

For the Respondent/s : Smt. Usha Kumari No.1, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 17-07-2018

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 24.04.2018 by the learned Additional Sessions Judge-I-cum-Special Judge (Harijan) Nawada in connection with Nawada SC/ST P.S.Case No. 54 of 2015 and Special Case No.233 of 2017 registered under Sections 380,452,34 of the Indian Penal Code and Sections 3(i)(x) (xi) of the Scheduled Castes and Scheduled Tribes Act.

Complaint based FIR would reveal that for dispute relating to flowing the drain water, the appellants abused and



assaulted to the informant.

Considering the background of allegation and the statement of the appellants that they have got no criminal antecedent, 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 both bailors shall be resident of territorial jurisdiction of the learned court below 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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