

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1364 of 2018

Arising Out of PS.Case No. -50 Year- 2017 Thana -HASANPUR District- SAMASTIPUR

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1. Suman Kumar Singh, Son of Sri Raghvendra Singh,
2. Ajay Kumar Singh @ Bhulan Singh,
3. Raghvendra Singh, Both sons of Sri Shailendra Singh, All are resident of Village
and P.S.- Hasanpur, District- Samastipur.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Abhay Shankar Singh, Adv

For the Respondent/s : Mr. Binay Krishna, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 14-05-2018

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 the learned 1st Additional Sessions Judge, Samastipur in connection with Hasanpur P.S.Case No. 50 of 2017 registered under Sections 147,148,341,323,379,436,504,506 of the Indian Penal Code as well as under Sections 3(i)(r)(s)(w) of the Scheduled Castes and Scheduled Tribes Act.

Four days prior to the present case, the appellants' side had lodged a criminal case against the husband of the informant and others vide Annexure-5. The appellants' side had



sustained injury in the occurrence vide Annexure-4 series. Thereafter, present FIR was lodged with general and omnibus allegation of commission of abuse, assault etc.

Submission is that allegation of assault is not specific against anyone rather ornamental allegation of theft is there. Specific against some of the appellants.

Considering the background 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 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 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, this appeal stands allowed.

(Birendra Kumar, J)

Nitesh/-

AFR/NAFR	NAFR
CAV DATE	NA
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