

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1918 of 2018

Arising Out of PS.Case No. -2 Year- 2018 Thana -GUTHNI District- SIWAN

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1. Ratan Jayswal, S/o Shri Kishun Jayswal
2. Rakesh Jayswal @ Rakesh Kumar, S/o Chandra Shekhar Jayswal Both are
Resident of Village- Daraila, P.S.- Guthani, District- Siwan (Bihar).

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Vijay Kumar Mishra, Adv

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 23-08-2018

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 15.05.2018 in A.B.P. No.586 of 2016 passed by the learned A.D.J.-1st-cum-Special Judge, Siwan in connection with Guthani P.S.Case No. 02 of 2018 registered under Sections 341,323,324,504,379/34 of the Indian Penal Code and Sections 3(i)(x) of the Scheduled Castes and Scheduled Tribes Act.

There is case and counter case. Appellants have stated on oath that they have got no criminal antecedent.



Offences of the Indian Penal Code alleged against the appellants are bailable, save and except Section 379 of the Indian Penal Code, which appears to be ornamental one.

Considering the aforesaid facts, 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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