

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2394 of 2018

Arising Out of PS. Case No.-96 Year-2018 Thana- DULHIN BAZAR District- Patna

-
1. Shailendra Sinha @ Shailendra Prasad Sinha, Son of Sri Dayanand Sinha,
 2. Mahanand Sinha @ Mahanand Prasad Sinha, Son of Late Ramashraya Singh,
 3. Akhilesh Sinha, Son of Mahanand Sinha @ Mahanand Prasad Sinha
 4. Santosh Sinha, Son of Sri Ram Pravesh Sinha, All residents of Village - Sadabeh Bhalua, P.S. - Dulhin Bazar, District - Patna.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Ashok Kumar Sinha
For the Respondent/s : Mr. Binay Krishna

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 27-09-2018

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 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for anticipatory bail vide order dated 13.06.2018 passed by the learned Additional Sessions Judge-V-cum-Special Judge (SC/ST), Patna in A.B.P. No.3769 of 2018, arising out of Dulhin Bazar Police Station Case No.96 of 2018 registered under Sections 147, 148, 341, 323, 325, 307, 379, 436 of the Indian Penal Code and Sections 3 (1)(r) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.



There is general and omnibus allegation of assault, abuse and theft against the appellants and other family members, who are neighbours of the informant. The F.I.R. discloses that occurrence took place for the reason that informant was constructing the projection of his house towards lane.

Considering the general and omnibus nature of allegation and statement of the appellants that they have got no such type of 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 bail on furnishing bail bonds of Rs.20,000/- (Rupees 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 conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the appellants shall fully co-operate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bonds of the appellants.

Accordingly, the impugned order is set aside and this appeal stands allowed.

(Birendra Kumar, J)

abhishek/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

