

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.2102 of 2018

Arising Out of PS.Case No. -11 Year- 2017 Thana -AURANGABAD COMPLAINT CASE District -
AURANGABAD

- =====
1. Vinod Singh Son of Late Bindeshwari Singh
 2. Pramod Singh Son of Late Bindeshwari Singh
 3. Ashok Singh @ Rana Ashok Singh, Son of Late Bindeshwari Singh
 4. Anil Singh, Son of Late Bindeshwari Singh
 5. Sunil Singh, Son of Late Bindeshwari Singh
 6. Santan Singh, Son of Late Bindeshwari Singh
 7. Mukesh Singh, Son of Vinod Singh
 8. Jitendra Singh, Son of Vinod Singh
 9. Vikash Singh, Son of Pramod Singh
 10. Rakesh Singh @ Rakesh Kumar Singh, Son of Pramod Singh
 11. Narendra Singh @ Narendra Kumar Singh, Son of Ashok Singh
 12. Amrendra Singh @ Amrendra Kumar Singh, Son of Ashok Singh
 13. Raushan Singh @ Raushan Kumar, Son of Anil Singh
 14. Gulshan @ Gulshan Kumar, Son of Anil Singh, All residents of Village -
Kajhapa, Police Station - Amba, District – Aurangabad (Bihar).

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr.

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 03-08-2018

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 19.05.2018 in



Complaint Case No. 11 of 2017 passed by the learned Special Judge S.C./S.T. (POA) Act, Aurangabad in connection with the aforesaid case registered under Sections 323, 147, 504/34 of the Indian Penal Code as well as Sections 3(i)(x)(iv) of the SC/ST Act.

There is bona fide land dispute between the parties as submission of the appellants is that the complainant was encroaching on the land of the appellants by the side of the land of the complainant and for that reason, an occurrence of abuse and assault has falsely been alleged, just to pressurize.

Learned Special Public Prosecutor opposed the prayer for bail.

Considering the background and nature of allegation as well as the fact that the appellants have got no criminal antecedent, save and except, the case lodged by the same informant, 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 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 as well as condition that both the bailors shall be resident of within the territorial jurisdiction of the learned court below.

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

(Birendra Kumar, J)

Kundan/-

AFR/NAFR	N.A.
CAV DATE	N.A.
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