

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.2400 of 2018

Arising Out of PS.Case No. -227 Year- 2017 Thana -BIHTA District- PATNA

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1. Shri Chandan Vishwakarma @ Chandan Vishwakarma,
 2. Sarwan Vishwakarma @ Sarwan Kumar Vishwakarma, Both are sons of Late Krishna Vishwakarma, R/o Vill.- Kanhauli, P.S.- Bihta, District- Patna.

.... Appellant/s

Versus

1. The State of Bihar.
2. Raushan Kumar S/o Manoj Chaoudhary, R/o Vill.- Kanhauli, P.S.- Bihta, District- Patna.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Manoj Kumar Upadhyay, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 26-10-2018

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 against the refusal of prayer for anticipatory bail vide order dated 15.05.2018 passed by the learned Special Judge (S.C./S.T. Act)-cum-Additional Sessions Judge-V, Patna, in A.B.P. No.2686 of 2018, arising out of Bihta Police Station Case No.227 of 2017, registered under Sections 341/323/324/504/506/34 of the Indian Penal Code and Section 3(i)(n) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Offences of the Indian Penal Code alleged against the



appellants are general and omnibus and are bailable. The appellants have stated on oath that they have got no criminal antecedent.

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 bail on furnishing bail bonds of Rs.20,000/- (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.

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

(Birendra Kumar, J)

Mkr./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	01.11.2018
Transmission Date	01.11.2018

