

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.2655 of 2018

Arising Out of PS.Case No. -63 Year- 2017 Thana -PARSA District- SARAN

=====

1. Golu Kumar, S/o Virendra Singh,
2. Umesh Singh S/o Late Shyamdeo Singh,
3. Abhishekh Kumar @ Abhishek Kumar S/o Umesh Singh, All are R/o Vill.-
Baksanda, P.S.- Parsa, District- Saran.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

=====

Appearance :

For the Appellant/s : Mr. Anant Kumar Bhaskar, Adv

For the Respondent/s : Mr. Sadanand Paswan, SPP

=====

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 10-10-2018

Supplementary affidavit has been filed on behalf of
the appellants.

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 20.06.2018 in A.B.P. No.1678 of 2018
passed by the learned 1st Addl. Sessions Judge, Saran at
Chapra in connection with Parsa P.S.Case No. 63 of 2017
registered under Sections 341,323,504,34 of the Indian Penal
Code and Sections 3(i)(x) /3(2)(va)of the Scheduled Castes



and Scheduled Tribes Act.

There is general and omnibus allegation of commission of abuse and assault.

Submission is that the background of false allegation is that the informant had taken loan of Rs.5,000/- from the appellants and he had executed a document in support of that. The appellants were asking for refund of the loan amount and for that just to pressurize, false case has been lodged.

Considering the fact that the appellants have got no such criminal antecedent as well as the background and nature 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 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
Uploading Date	11.10.2018
Transmission Date	11.10.2018

