

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.2674 of 2018

Arising Out of PS.Case No. -96 Year- 2017 Thana -AWTARNAGAR District- SARAN

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1. Chandrabali Singh, S/o Shri Nand Lal Singh,
2. Ashok Singh @ Ashok Kumar Singh, S/o Shri Chandrabali Singh.
3. Anil Kumar Singh @ Anil Singh, S/o Shri Chandrabali Singh.
4. Ramesh Kumar Singh @ Ramesh Kuamar Singh, S/o Shri Rameshwar Singh.
5. Rohit Kumar Singh, S/o Shri Kamleshwar Kumar Singh.
6. Anshu Kumar Singh @ Golu Kumar Singh, S/o Shri Ramesh Kumar Singh All
R/o Village- Naraon, P.S. Awatar Nagar, District- Saran Appellant/s
Versus

1. The State of Bihar. ... Respondent/s

Appearance :

For the Appellant/s : Mr. Awadhesh Kumar, Adv

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 07-09-2018

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 07.06.2018 in A.B.P. No.1567 of 2018 passed by the learned 1st Addl. Sessions Judge, Saran at Chapra in connection with Awatar Nagar P.S.Case No. 96 of 2017 registered under Sections 341,323,379/34 of the Indian Penal Code and Sections 3(i)(r)(s) of the Scheduled Castes and Scheduled Tribes Act.

The appellants allegedly abused and assaulted to the informant, for the reason that the informant had complained to the Circle Officer that certain persons are getting benefits of flood relief more than twice or thrice either in his name or in the



name of his wife in collusion with the local authority. The appellants were said to be beneficiaries of the scheme. Appellants have got no criminal antecedent.

Considering the background of allegation, it is evident that the appellants were not intending to humiliate a member of scheduled caste, hence, 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
Uploading Date	10.09.2018
Transmission Date	10.09.2018

