

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.3066 of 2018

Arising Out of PS.Case No. -97 Year- 2016 Thana -CHHAURADANO District-
EASTCHAMPARAN (MOTIHARI)

- =====
1. Rajesh Choudhary S/o Late Ramchitwan Choudhary
 2. Jailal Choudhary S/o Late Kewal Choudhary
 3. Jainul Mian S/o Late Bhikhari Mian All are resident of Village- Jeetpur, P.S.-
Chauradano, District- East Champaran.

.... Appellants

Versus

1. The State of Bihar

.... Respondent

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Appearance :

For the Appellants : Mr. Pramod Kumar, Advocate

For the Respondent : Mr. Sadanand Paswan, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 06-10-2018

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 31.05.2018 passed by the learned 1st Additional Sessions Judge-cum-Special Judge (SC/ST Act), East Champaran at Motihari, in A.B.P. No. 478 of 2018, arising out of Chhauradano Police Station Case No. 97 of 2016, registered under Sections 341/323/ 324 / 354 / 379 / 504 / 506/34 of the Indian Penal Code and Sections 3(i)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Title Suit No. 518 of 2016 is going on between parties in the Court of learned Civil Judge, Senior Division, Motihari. In the



aforesaid background allegation of commission of abuse and assault by using caste name and theft of cash on 05.09.2016.

Considering the background, general and omnibus nature of allegation and the statement of the appellants on oath that they have got no criminal antecedent, let them, 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./R.Ranjan-

AFR/NAFR	NAFR
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