

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2937 of 2018

Arising Out of PS. Case No.-34 Year-2017 Thana- SC/ST District- Bhagalpur

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1. Md. Chandu
 2. Md. Neshar @ Md. Nishar, Both sons of Md. Bhola Mia, resident of Village- Kajipura (Siv Kumari Pahar), P.S. Kahalgaon, District Bhagalpur.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Dr. Manoj Kumar
For the Respondent/s : Mr. Binay Krishna

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 05-10-2018

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 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for anticipatory bail vide order dated 01.06.2018 passed by the learned 3rd Additional Sessions Judge, Bhagalpur in A.B.P. No.497 of 2018, arising out of Bhagalpur S.C./S.T. Police Station Case No.34 of 2017 registered under Sections 341, 323, 504, 506, 379/34 of the Indian Penal Code and Sections 3 (1)(r), 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Considering the nature of allegation and the fact that offences of the Indian Penal Code alleged against the appellants



are mostly bailable and appellants have stated on oath that they have got no criminal antecedent, 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 conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the appellants shall fully co-operate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bonds of the appellants.

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

(Birendra Kumar, J)

abhishek/-

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CAV DATE	
Uploading Date	
Transmission Date	

