

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.549 of 2017

Arising Out of PS.Case No. -32 Year- 2016 Thana -SC/ST District- JAMUI

- =====
1. Rajesh Prasad @ Pappu Mahto @ Rajesh Kumar.
 2. Randhir Prasad.
Both Sons of Bhagirath Prasad. Both R/o Village-Ram Sagar, P.S.-Sikandra,
District-Jamui.

.... Appellant/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Naresh Das, Adv

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 05-07-2018

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 09.08.2016 by the learned A.D.J.1st-cum-Special Judge, Jamui in connection with Jamui SC/ST P.S.Case No. 32 of 2016 registered under Sections 341,448,323,504,506,347/34 of the Indian Penal Code as well as under Sections 3(I)(XI)(N)(V) of the Scheduled Castes and Scheduled Tribes Act.

A civil suit is going on between the parties and the FIR would also reveal that the occurrence took place for land dispute. The informant claims to have purchased the referred land from Dhobi Matho, whereas the appellants claimed the



same as their ancestral property.

Considering the general and omnibus nature of allegation of abuse and assault, 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	10.07.2018
Transmission Date	10.07.2018

