

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.278 of 2017

Arising Out of PS.Case No. -188 Year- 2016 Thana -CHANPATIA District-
WESTCHAMPARAN(BETTIAH)

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1. Kamal Sah, S/o Late Ramotar Sah,
2. Lalan Sah,
3. Lakhan Sah,
4. Satan Sah, S/o Kamal Sah,
5. Hiranman Sah, S/o Bhikhari Sah, All R/o Vill Naktaha, P.S.- Sirsiya, Chanpatiya
Distt- W. Champaran.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Dhananjay Kumar No.2, Advocate
For the Respondent/s : Mr. Sadanand Paswan, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 17-04-2018

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 by the learned 1st Additional Sessions Judge, Bettiah, in connection with Chanpatiya (Sirisiya O.P.) Police Station Case No.188 of 2016 registered under Sections 341/323/504/506/34 of the Indian Penal Code and Sections 3(i)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The allegation is general and omnibus against the



appellants and others of commission of abuse and assault when the informant demanded his due wages. There is counter case also.

Considering the aforesaid fact especially the fact that allegation is not specific against anyone, 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/- (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./-

AFR/NAFR	NAFR
CAV DATE	NA
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