

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.3085 of 2018

Arising Out of PS.Case No. -414 Year- 2018 Thana -KHAGARIA District- KHAGARIA

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1. Vikash Singh @ Vikash Kumar Singh, Son of Late Nageshwar Singh.
 2. Suman Kumar, Son of Late Nageshwar Singh.
 3. Krishna Singh @ Krishn Kumar Singh, Son of Late Suresh Singh.
 4. Trilochan Singh, Son of Late Suresh Singh.
 5. Mahendra Singh, Son of Late Rameshwar Singh
 6. Amit Singh @ Amit Kumar Singh, Son of Late Suresh Singh, All resident of Village- Ambadih, P.S.- Muffasil (Khagaria), District- Khagaria.

.... Appellant/s

Versus

1. The State of Bihar.
2. Rajesh Kumar @ Rocky Kumar, Son of Rajendra Tanti, Resident of Village- Ambadih, P.S.- Muffasil (Khagaria), District- Khagaria.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Ranjeet Kumar Singh, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 06-09-2018

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 01.08.2018 passed by the learned 1st Additional Sessions Judge-cum-Special Judge, Khagaria, in A.B.P. No.51 of 2018, arising out of Khagaria (Muffasil) Police Station Case No.414 of 2018, registered under Sections 147/149/341/323//379/427/504/506 of the Indian Penal Code and Section 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The dispute arose for the reason that the articles which the appellants and others were demanding from the shop of the informant



was not there.

Submission is that though there is allegation of commission of abuse and assault. However, no injury was found on the vital part of the body nor any fire-arm injury was found to anyone. Moreover, the parties have entered into a compromise. The appellants have got no criminal antecedent.

Considering the aforesaid facts, 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./-

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