

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1166 of 2018

Arising Out of PS.Case No. -323 Year- 2017 Thana -BAIKUNTHPUR District- GOPALGANJ

- =====
1. Radha Krishna Prasad, S/o Late Dhari Lal Prasad,
 2. Man Mohan Prasad,
 3. Bhuttu Prasad,
 4. Vishal Prasad, Sl. No. 2 to 4 Sons of Radha Krishna Prasad alive. All R/o Village- Usari Bazar, P.S.- Baikunthpur, District- Gopalganj.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

with

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Criminal Appeal (SJ) No. 1012 of 2018

Arising Out of PS.Case No. -323 Year- 2017 Thana -BAIKUNTHPUR District- GOPALGANJ

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Amita Devi, Wife of Radha Krishna Prasad, Resident of Village- Usari Bazar, P.S. Baikunthpur, District- Gopalganj.

.... Appellant/s

Versus

The State of Bihar.

.... Respondent/s

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Appearance :

(In CR. APP (SJ) No.1166 of 2018)

For the Appellant/s : Mr. Nagendra Rai, Advocate

For the Respondent/s : Mr. Binay Krishna, SPP

(In CR. APP (SJ) No.1012 of 2018)

For the Appellant/s : Mr. Nagendra Rai, Advocate

For the Respondent/s : Mr. Binay Krishna, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 29-06-2018

Heard learned counsel for the parties.

These appeals under Section 14A (2) of the Scheduled
Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989,



(hereinafter referred to as the “S.C./S.T. Act”) against the refusal of prayer for anticipatory bail vide order dated 06.03.2018 passed in A.B.P. No.271 of 2018, by the learned 1st Additional Sessions Judge-cum-Special Judge S.C./S.T. Act, Gopalganj, in connection with Baikunthpur P.S. Case No.323 of 2017, registered under Sections 147, 341, 323, 354, 379, 427, 504/34 of the Indian Penal Code and Section 3 (i)(x) S.C./S.T. (P.A.) Act, 1989.

Allegation is general and omnibus of commission of abuse and assault against the appellants for land dispute.

Submission of the learned counsel for the appellants is that civil suit is already going on between the parties. The appellants are purchasers through registered sale for consideration in the year, 2017.

Considering the background and general and omnibus nature of allegation, 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 bond 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 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 and 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 these appeals stand allowed.

(Birendra Kumar, J)

Abhishek/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

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