

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1314 of 2018

Arising Out of PS. Case No.-9 Year-2018 Thana- BAGAINGOLA District- Buxar

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1. Pappu Choudhary Son of Rajendra Choudhry
 2. Mutur Choudhry Son of Bihari Choudhry Both residents of Village - Ekarasi, P.S. Bagen Gola, District Buxar.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Bachan Jee Ojha
For the Respondent/s : Mr. Binay Krishna

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 23-05-2018 Heard learned counsel for the appellant and learned special P.P. for the State.

This is an appeal under Section 14 A(2) of the Schedule Caste and Schedule Tribe (Prevention of Atrocities) Act, 1989 against refusal of the prayer for bail in connection with Bagen Gola P.S. case no. 9 of 2018 registered under Sections 147, 148, 149, 447, 427 436, 380, 429 and 379 of the Indian Penal Code and Section 2(III)(IV) (V), (r), (s) of the SC/ST (Prevention of Atrocities) Act.

Learned counsel for the appellants has submitted that there is general and omnibus allegation against these appellants. The appellants are in custody since 4. 3. 2018.

The other co- accused persons have already been



granted bail vide order dated 11.5. 2018 passed in Cr. Appeal (SJ) no. 1373 of 2018. It is alleged that in retaliation of murder of one Ranjeet Chaudhary, several persons made protest against non -arrest of the accused of the case and during that protest they put on fire the houses of several persons belonging to SC/ST community. In this manner, there is general and omnibus allegation against the petitioners.

Considering the aforesaid facts, let the appellants, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned ADJ-1st cum special Judge (SC/ST Act) Buxar in connection with Bagen Gola P.S. case no. 9 of 2018 (SC/ST case no. 43/18), subject to the condition that both the bailors should be the close relative of the appellant.

Accordingly the impugned order is set aside and the appeal stands allowed

(Sanjay Priya, J)

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