

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3582 of 2018

Arising Out of PS. Case No.-200 Year-2018 Thana- MASHRAK District- Saran

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1. Akhileshwar Tiwari
 2. Rajendra Tiwari both sons of Daroga Tiwari
 3. Sheo Dayal Rai son of Kishan Chand Rai
 4. Manoj Rai son of Deonath Rai
 5. Santlal Rai son of Naujadik Rai
 6. Mala Devi wife of Chandar Rai
 7. Raghu Rai son of Ramagyan Rai

All resident of village- Mashrak Dakshin Tola, P.S. - Mashrak, District- Saran

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Sanjay Kumar Singh
For the Respondent/s : Smt Usha Kumari No-1

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 07-12-2018

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 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for anticipatory bail vide order dated 20.07.2018 in A.B.P. No. 2311 of 2018 passed by the learned 1st Additional Sessions Judge-cum-Special Judge S.C./S.T. (POA) Act, Saran at Chapra in connection with Mashrakh P.S. Case No. 200 of 2018 registered under Sections



147, 148, 149, 341, 323, 332, 333, 353, 307, 188, 504, 509 of the Indian Penal Code as well as Sections 3(1)(r)(w) of the SC/ST Act.

The appellants were member of the mob which had obstructed the road traffic due to death of a child in road accident. Allegation is that mob had abused the informant who is police officer as well as member of the scheduled caste.

Considering the 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 anticipatory bail on furnishing bail bonds 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/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the appellants as well as condition that both the bailors shall be resident of the territorial jurisdiction of the learned court below.



Accordingly, the impugned order is set aside and
this appeal stands allowed.

(Birendra Kumar, J)

Kundan/Rajan

AFR/NAFR	N.A.
CAV DATE	N.A.
Uploading Date	10.12.2018
Transmission Date	10.12.2018

