

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3842 of 2018

Arising Out of PS. Case No.-33 Year-2018 Thana- SC/ST District- Jehanabad

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1. Babloo Sharma @ Ram Babu Sharma @ Rambabu S/o Awadhesh Sharma
 2. Niraj Sharma @ Neeraj Sharma S/o Nunu Sharma @ Birendra Sharma Both Resident of Village- Kokarsa, P.S. Hulasganj, Distt. Jehanabad.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Raj Bansh Dubey, Advocate
For the Respondent/s : Smt Usha Kumari No-1, SPP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 14-12-2018

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 against the refusal of prayer for anticipatory bail vide order dated 21.08.2018 passed by the learned Additional Sessions Judge-I, Jehanabad, in A.B.P. No.1050 of 2018, arising out of Jehanabad SC/ST Police Station Case No.33 of 2018, registered under Sections 147/148/149/323/325/504/506/509 of the Indian Penal Code and Sections 3(i) (r)(s)(w)/3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The occurrence of assault and abuse allegedly took



place due to differences arising out of a cricket match, which would be evident from the FIR. There is case and counter case. The appellants have got no criminal antecedent of atrocity on the members of the scheduled caste.

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.

Mkr./-

(Birendra Kumar, J)

AFR/NAFR	NAFR
CAV DATE	NA
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