

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1378 of 2018

Arising Out of PS.Case No. -135 Year- 2017 Thana -CHENARI District- SASARAM (ROHTAS)

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1. Raghubar Tiwari, Son of Lal Mohan Tiwari,
2. Narendra Tiwari, Son of Keshav Tiwari, Both resident of Village- Umaon, P.S.-
Chenari, Dist- Rohtas.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Kulanand Jha, Adv

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 10-07-2018

Heard learned counsel for the parties.

The delay of 25 days in filing of this appeal is explained in I.A.No.1590 of 2018. Hence, the delay is condoned.

This is an appeal under Sections 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, against refusal of the prayer for anticipatory bail by order dated 19.12.2017 by the learned Additional Sessions Judge-1st, Rohtas at Sasaram in connection with Chenari P.S.Case No. 135 of 2017 registered under Sections 147, 148, 149, 341, 342, 323, 325, 307, 448, 504, 506 and 354 of the Indian Penal Code as well as under Sections 3(i)(R)(F)(W)(i) of the Scheduled Castes and Scheduled Tribes Act.

Though there is general and omnibus allegation of



commission of abuse and assault by taking caste name, however, the parties have entered into a compromise vide Annexure-2.

In the circumstances, fate of trial is known, therefore, 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 bond of Rs.20,000 (Twenty Thousand) each with two sureties of the like amount each to the satisfaction of 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 and both bailors shall be resident of territorial jurisdiction of the learned court below and further 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 this appeal stands allowed.

(Birendra Kumar, J)

Nitesh/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	12.07.2018
Transmission Date	12.07.2018

