

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1235 of 2018

Arising Out of PS.Case No. -256 Year- 2016 Thana -DINARA District- SASARAM (ROHTAS)

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1. Ram Naresh Chaudhary, S/o Late Khedu Chaudhary @ Khedu Singh,
2. Banarsi Singh @ Banarsi Yadav S/o Late Hardeo Yadav, Both are R/o Village-
Bhanas, P.S.- Dinara, (Bhanas), District- Rohtas at Sasaram.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Manoj Kumar Singh

For the Respondent/s : Smt. Usha Kumari I, SPP 247

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 11-05-2018

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, against refusal of the prayer for anticipatory bail by the learned 1st Additional Sessions Judge, Rohtas at Sasaram in connection with Dinara (Bhanas) P.S. Case No. 256/2016 registered under Section 427/34 of the Indian Penal Code as well as Sections 3(i)(g) of the SC/ST Act.

Submission of the learned counsel for the appellants is that though there is dispute for *Rasta* between the parties but the informant has suppressed the aforesaid fact in the F.I.R. and falsely alleged that the appellants committed abuse and assault for the reason



that the informant had complained them that the animals of the appellants had grazed the crop of the informant.

Considering the background of allegation 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 bond of the appellants.

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

(Birendra Kumar, J.)

Rakhi

AFR/NAFR	
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