

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1708 of 2018

Arising Out of PS.Case No. -30 Year- 2018 Thana -MAHARAJGANJ District- SIWAN

- =====
1. Bhagwan Singh, Son of Late Surya Singh, Resident of Village- Jagdishpur, P.S.- Maharajganj, District- Siwan.
2. Manish Kumar Singh @ Manish Singh, Son of Shatrughan Singh, Resident of Village- Jagdishpur, P.S.- Maharajganj, District- Siwan.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Rajesh Kumar Singh, Adv.
: Mr. Anil Kumar, Adv.
For the Respondent/s : Mr. Binay Krishna, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 23-08-2018

Heard learned counsel for the parties.

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 17.04.2018 in A.B.P. No.367 of 2018 passed by the learned 1st Additional Sessions Judge-cum-Special Court, Siwan in connection with Maharajganj P.S.Case No. 30 of 2018 registered under Sections 147,341,323,353 and 504 of the Indian Penal Code as well as under Sections 3(r)(s) of the Scheduled Castes and Scheduled Tribes Act.

Submission is that there is general and omnibus nature of allegation of abuse and assault against the appellants.



Similarly situated some other co-accused have already been allowed anticipatory bail by this Court in Cr. Appeal (SJ) No.1586 of 2018 and Cr. Appeal (SJ) No.1954 of 2018.

Considering the aforesaid fact, 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
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