

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.2686 of 2018

Arising Out of PS.Case No. -31 Year- 2018 Thana -BEERPUR District- BEGUSARAI

- =====
1. Vikash Kumar, Son of Vishwanath Poddar
 2. Akash Poddar @ Akash Kumar @ Makesh Kumar @ Makesh Poddar, Son of Vishwanath Poddar.
 3. Vikram Kumar @ Gorelal Poddar, Son of Vishwanath Poddar, all Resident of Village - Sahuri (Fulkari) P.S. - Birpur, District - Begusarai.

.... Appellants

Versus

1. The State of Bihar

.... Respondent

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Appearance :

For the Appellants : Mr. Nakul Kumar Jamuar, Advocate

For the Respondent : Smt. Usha Kumari No. 1, S.P.P.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 18-09-2018

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 26.06.2008 in A.B.A. No. 1127 of 2018 passed by the learned Special Judge S.C./S.T. (POA) Act, Begusarai in connection with Birpur P.S. Case No. 31 of 2018 registered under Sections 341, 323, 307, 379, 504, 506/34 of the Indian Penal Code as well as Sections 3(i)(r)(s) of the SC/ST Act.

Father of the appellants deposed in a criminal case against the informant and others which would be evident from a copy of the deposition at Annexure-2 to the supplementary affidavit. In the background of the aforesaid enmity, allegation is of commission of



abuse and assault.

Learned Special Public Prosecutor opposed the prayer for bail.

Considering the background and 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 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 within the territorial jurisdiction of the learned court below.

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

(Birendra Kumar, J)

Kundan/-

AFR/NAFR	N.A.
CAV DATE	N.A.
Uploading Date	21.09.2018
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