

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.3203 of 2018

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

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1. Sone Lal Sah Son of Bihari Sah
2. Madhusudan Sah Son of Bihari Sah
3. Ram Lal Sah Son of Bihari Sah
4. Harish Chandra Sah @ Harichandra Sah Son of Bihari Sah
5. Dinesh Sah Son of Bihari Sah
6. Khanoj Sah @ Khanoj Kumar Sah Son of Madhusudan Sah
7. Bihari Sah Son of Late Chhatu Sah All are resident of Village- Gahil Asthan,
P.O. Dibra Bazar, P.S.- Barhara Kothi, District Purnea.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Gyanand Roy, Adv

For the Respondent/s : Mr. Sadanand Paswan, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 09-10-2018

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 07.07.2018 in A.B.P. No.41 of 2018 CIS 41 of 2018 passed by the learned 1st Additional Sessions Judge-cum-Special Judge SC/ST, Purnea in connection with SC/ST P.S.Case No. 33 of 2018 registered under Sections 147,148,341,323,376,511,379,504,506 of the Indian Penal Code and Sections 3(i)(x) & (xi) of the Scheduled Castes and



Scheduled Tribes Act.

The appellants were allegedly pressurizing the informant to work in their field. On refusal, there is general and omnibus allegation of commission of abuse and assault by taking caste name of the informant. There is allegation of outraging the modesty of the wife of the informant, which the wife of the informant has not supported before the police.

Submission is that the appellants have got no criminal antecedent. General and omnibus allegation is there due to land dispute.

Considering the 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 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 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	10.10.2018
Transmission Date	10.10.2018

