

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.941 of 2018

Arising Out of PS.Case No. -5 Year- 2018 Thana -SC/ST District- KHAGARIA

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1. Lal Babu Singh
 2. Shyam Babu Singh
 3. Sanjay Singh All sons of Late Jagdeo Singh
 4. Raushan Kumar Singh Son of Lal Babu Singh
 5. Pappu Singh Son of Late Janardan Singh All residents of Village - Laba,
P.S. Maheshkhut, District - Khagaria.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Raj Kishore Singh, Advocate

For the Respondent/s : Smt Usha Kumari No-1, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 10-04-2018

Heard learned counsel for the parties.

Appellant Lal Babu Singh has already been arrested.

Hence, his prayer for anticipatory bail is infructuous now.

This is an appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer for anticipatory bail by the learned Additional Sessions Judge 1st -cum-Special Judge (S.C./S.T. Act), Khagaria, in connection with Khagaria SC/ST Police Station Case No.5 of 2018 registered under Sections 341/323/504/34 of the Indian Penal Code and Section 3(i) (r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of



Atrocities) Act, 1989.

For land dispute there is general and omnibus allegation against the appellants of commission of abuse by taking caste name and commission of assault against the informant and others.

Learned counsel for the informant opposed the prayer for bail of appellant No.5 Pappu Singh on the ground that allegation is specific against appellant No.5 Pappu Singh that he has abused the informant by taking caste name.

Considering the nature of allegation against the appellant Pappu Singh, I am not inclined to grant him anticipatory bail. Hence, his prayer for anticipatory bail is refused.

Other appellants namely, appellant No.2 Shyam Babu Singh, appellant No.3, Sanjay Singh and appellant No.4 Raushan Kumar Singh, 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, are released on anticipatory bail on furnishing bail bonds of Rs.20,000/- (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.

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

(Birendra Kumar, J)

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