

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.916 of 2018

Arising Out of PS.Case No. -148 Year- 2013 Thana -GHORASAHAN District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Chalitar Rai @ Charitar Rai, S/o Bhal Rai, R/o Village- Ramnagar Bahuri Tola, P.S.- Jitna (Ghorasahan) Distt.- East Champaran.
 2. Shambhu Rai S/o Chanan Rai, R/o Village- Barka Pakari, P.S.- Lakhaura (Ghorasahan), District- East Champaran.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Rajesh Kumar, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 10-04-2018

Heard learned counsel for the parties.

This is an appeal under Section 14(A) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer for anticipatory bail by the learned 1st Additional Sessions Judge-cum-Special Judge (S.C./S.T. Act), East Champaran, Motihari, in Ghorasahan (Lakhaura) Police Station Case No.148 of 2013 registered under Sections 147/148/149/302/120B of the Indian Penal Code and Section 3(i) (x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Submission is that similarly situated co-accused Siyaram Sah, against whom also the allegation is general and



omnibus, has already been allowed anticipatory bail by a coordinate Bench of this Court vide Annexure-2.

Finding substance in the aforesaid submission, 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/- (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 allowed.

(Birendra Kumar, J)

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