

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3569 of 2017

Arising Out of PS.Case No. -83 Year- 2017 Thana -MARAUNA District- SUPAUL

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1. Jagdish Mandal, S/o Late Sonelal Mandal,
2. Vijay Kumar Kamat S/o Late Jharilal Kamat, Both R/o Village- Gajhara,
P.S.- Marauna, District- Supaul.

.... Appellants

Versus

The State of Bihar

.... Respondents

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Appearance :

For the Appellant/s : Mr. Yogendra Kumar, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 16-01-2018 Heard learned counsel for the parties.

This is an appeal under Sections 14A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, against refusal of the prayer for anticipatory bail by the learned Additional Sessions Judge 1st, Supaul in connection with Marauna P.S.Case No. 83 of 2017 registered under Sections 341,323,379,504,506/34 of the Indian Penal Code as well as under Sections 3(i)(r) (s) of the Scheduled Castes and Scheduled Tribes Act and 27 of Arms Act.

Informant is not a member of scheduled castes and scheduled tribes, he had some dispute with the appellants.

Allegation is that the appellants abused to the helper of the informant by taking his caste name.



Submission is that for land dispute between the parties, false allegation has been levelled just to harass and pressurize the appellants.

Considering the aforesaid facts, 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 Marauna P.S. Case No. 83 of 2017, 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, this appeal stands allowed.

(Birendra Kumar, J)

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