

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.2327 of 2018

Arising Out of PS.Case No. -202 Year- 2018 Thana -BARHARA District- BHOJPUR

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1. Sugani Pandey @ Sugindh Pandey, S/o Birendra Pandey,
2. Bare Pandey @ Munna Pandey S/o Ram Suresh Pandey, Both R/o Vill.- Balua,
P.S.- Krishangarh, District- Bhojpur.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Arun Kumar Pandey, Advocate

For the Respondent/s : Mrs. Usha Kumari No.1, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 10-08-2018

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 against the refusal of prayer for anticipatory bail vide order dated 14.06.2018 passed by the learned 1st Additional Sessions Judge, Bhojpur, Ara, in A.B.P. No.751 of 2018, arising out of Barahra Police Station Case No.202 of 2018, registered under Sections 341/323/353/337/427/504/506/34 of the Indian Penal Code and Sections 3(i)(r)(s)w(i)/3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Appellant No.1 Sugani Pandey @ Sugindh Pandey, who is Chairman of the Balua PACS, had lodged a complaint to the Block



Development Officer, Barhara on 19.05.2018 vide Annexure-2 alleging therein that informant of this case, who is Lady Supervisor, in collusion with the Ward Member is going to appoint their near and dear as Anganbari Sevika and Sahayika after having illegal gratification.

Submission is that being infuriated by the said complaint, present false case has been lodged for the occurrence of 21.05.2018 itself alleging therein that since the informant reached in Ward No.14 for calling a meeting for selection of Anganbari Sevika and Anganbari Sahayika. The appellants knowing that the informant is a member of scheduled caste started putting pressure for selecting particular person and they committed abuse and assault.

Considering the background of allegation and statement of the appellants on oath that they have got no criminal antecedent, 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)

Mkr./-

AFR/NAFR	NAFR
CAV DATE	NA
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