

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3459 of 2017

Arising Out of PS.Case No. -111 Year- 2017 Thana -BARHARIA District- SIWAN

- =====
1. Pravesh Singh @ Ram Pravesh Singh, Son of Bishun Singh
 2. Yogendra Singh, Son of Late Ram Nath Singh
 3. Rambahal Singh, Son of Late Ramnath Singh
 4. Shankar Singh, Son of Late Ramnath Singh
 5. Rakesh Kumar, Son of Dharmnath Singh All Resident of Village-Bhamopali, Tola 25, P.S. Barharia, District-Siwan.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Shiv Sager Sharma

For the Respondent/s : Mr. Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 15-02-2018

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 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for anticipatory bail by the learned 1st Additional Sessions Judge, Siwan in Barharia P.S. Case No. 111 of 2017 registered under Sections 341, 323, 436, 308/34 of the Indian Penal Code as well as Section 3(ii)(v) of the SC/ST Act.

There is no allegation of commission of any offence under the provisions of the SC/ST Act. The allegation of commission of assault and putting the hut of the informant on fire



is general and omnibus. There is case and counter case. The occurrence took place for land dispute.

Learned counsel for the informant opposed the prayer for bail.

Considering the aforesaid fact, 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/- (rupees 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 and 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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