

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3519 of 2018

Arising Out of PS. Case No.-54 Year-2018 Thana- RAJEPUR District- East Champaran

1. Nandkishore Rai, son of Late Satya Narayan Rai,
2. Mahendra Rai, Son of Late Yadolal Rai.
3. Sanjit Rai, Son of Rajendra Rai.
4. Sanjiv Kumar @ Sandip Kumar @ Sanjiv Rai @ Sandip Rai, Son of Nandkishore Rai,
5. Ramvilash Rai, Son of Late Devnandan Rai,
6. Kalyan Rai, Son of Late Devnandan Rai,
7. Sarjan Rai, Son of Late Devnandan Rai,
8. Maujelal Rai, Son of Late Devnandan Rai,
9. Mukhan Rai @ Mukesh Rai, Son of Mahendra Rai.
10. Vikram Rai, Son of Tarani Rai.
11. Makhan Rai, Son of Shambhu Rai.
12. Ajay Rai, Son of Rajendra Rai,
13. Ashok Rai, Son of Yogendra Rai, All resident of Village- Kadama, P.S.- Rajepur, District- East Champaran.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Anil Kumar, Advocate
For the Respondent/s	:	Mr. Binay Krishna, SPP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 06-12-2018

Heard learned counsel for the parties.

Appellant Sanjit Rai has already been arrested in this case. 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 vide order dated 04.07.2018 passed by the



learned 1st Additional Sessions Judge-cum-Special Judge (S.C./S.T. Act), East Champaran, in A.B.P. No.1360 of 2018, arising out of Rajepur Police Station Case No. 54 of 2018, registered under Sections 147/148/149 /341/ 323/ 447/ 452 / 380/504/506 of the Indian Penal Code and Section 3(i)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The daughter of appellant Nankishore Rai was allegedly kidnapped by the family members of the informant and for that occurrence Rajepur P.S. Case No.50 of 2018 was registered.

Submission is that though, subsequently, daughter of the appellant No.1 married with one of the named accused. That is the reason for difference between the two family and for that reason case and counter case was lodged. The allegation of abuse and assault under the Indian Penal Code alleged areailable.

Considering the background and nature of allegation, 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
Uploading Date	07.12.2018
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