

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1344 of 2018

Arising Out of PS.Case No. -18 Year- 2018 Thana -CHAND District- BHABHUA (KAIMUR)

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1. Pyare Koeiry, Son of Raghunath Koeiry,
 2. Deena Koeiry @ Deena Nath Singh, Son of Late Panwasi Koeiry,
 3. Alha Koeiry @ Allaha Koeiry, Son of Pyare Koeiry,
 4. Anil Koeiry @ Anil Kumar Singh, Son of Deena Koeiry,
 5. Arun Koeiry @ Arun Kumar, Son of Deena Koeiry
 6. Kaushalya Devi, Wife of Deena Koeiry,
 7. Sri Devi, Wife of Pyare Koeiry, Resident of Village - Saukhara, P.S.- Chand,
District- Kaimur at Bhabua.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr.

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 21-08-2018

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 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for anticipatory bail vide order dated 21.03.2018 in A.B.P. No. 155 of 2018 passed by the learned 1st Additional Sessions Judge-cum-Special Judge S.C./S.T. (POA) Act, Kaimur at Bhabua in connection with Chand P.S. Case No. 18 of 2018 registered under Sections 147, 138, 149, 307, 504, 506/34, 223 of the Indian Penal



Code as well as Sections 3(1)(r)(w) of the SC/ST Act.

For dispute relating to way to go out, the two neighbours allegedly quarreled and allegation against the appellants is general and omnibus of commission of abuse and assault by taking caste name.

Submission of the learned counsel for the appellants is that the dispute has been resolved and the parties have been entered into a compromise vide Annexure-2.

Learned Special Public Prosecutor 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/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the appellants as well as condition that both the bailors shall be resident of the territorial



jurisdiction of the learned court below.

Accordingly, the impugned order is set aside and this appeal stands allowed.

(Birendra Kumar, J)

Kundan/-

AFR/NAFR	N.A.
CAV DATE	N.A.
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