

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.626 of 2018

Arising Out of PS.Case No. -487 Year- 2017 Thana -PHULWARI District- PATNA

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1. Sunil Kumar.

2. Sushil Kumar.

Both are son of Sri Brijnandan Singh, Residing of Walmi Nawada, P.S.-
Phulwari Sharif, District-Patna.

.... Appellant/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Sushil Kumar Jha, Adv

For the Respondent/s : Mr. Binay Krishna, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 05-07-2018

Heard learned counsel for the parties.

This is an appeal under Sections 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, against refusal of the prayer for anticipatory bail by order dated 31.10.2017 by the learned Additional District & Sessions Judge-II, Patna-cum-Special Judge, SC/ST Act, Patna in connection with Special Case No.588 of 2017, arising out of Phulwari Sharif P.S.Case No. 487 of 2017 registered under Sections 341,323,354,379,504,506/34 of the Indian Penal Code as well as under Sections 3(i)(X) of the Scheduled Castes and Scheduled Tribes Act.

There is case and counter case. Both sides allege that the opponent teased the female members of the family of



the respective parties. The aforesaid is background of allegation of commission of abuse and assault by taking caste name by the appellants.

Considering the background and nature of dispute, 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 the aforesaid case, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and both bailors shall be resident of territorial jurisdiction of the learned court below and further 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 this appeal stands allowed.

(Birendra Kumar, J)

Nitesh/-

AFR/NAFR	NAFR
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