

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.900 of 2018

Arising Out of PS. Case No. -169 Year- 2017 Thana -MANIGACHI District- DARBHANGA

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1. Ram Karan Das,
 2. Ram Sakal Das
 3. Ram Charan Das, All Sons of Late Ram Chandra Das
 4. Ram Sevak Das, Son of Ram Khelawan Das
 5. Md. Mazhar @ Md. Mojahid, Son of Md. Rasul, All Resident of Village-Putai,
Police Station-Manigachhi, District-Darbhang.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Vivek Anand Kumar, Advocate

For the Respondent/s : Mr. Sujit Kumar Singh, S.P.P.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 28-06-2018

Appellate No. 4 Ram Sevak Das has already been arrested in this case, hence, his prayer for anticipatory bail is dismissed as infructuous.

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 order dated 12.12.2017 passed in A.B.P. No. 1645 of 2017 by the learned 1st Additional Sessions Judge-cum-Special Judge (S.C./S.T.), Darbhanga in



connection with Manigachhi P.S. Case No. 169 of 2017 registered under Sections 147, 148, 149, 341, 323, 324, 307, 354, 379, 504 of the Indian Penal Code as well as Sections 3(1)(r)(s)(w), 3(2)(v) of the SC/ST Act.

Most of the accused persons including appellant no. 1, 2 and 3 are members of the scheduled caste. Only appellant no. 5 Md. Mazhar @ Md. Mojahid is not a member of the scheduled caste.

Considering the general and omnibus allegation of commission of abuse, assault and theft, this Court has already granted anticipatory bail to some other co-accused vide Annexure-5, in the circumstances, let the appellant no. 1 Ram Karan Das, appellant no. 2 Ram Sakal Das, appellant no. 3 Ram Charan Das and appellant no. 5 Md. Mazhar @ Md. Mojahid, 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, the impugned order is partly dismissed
and partly allowed.

(Birendra Kumar, J)

Kundan/Sanjeev

AFR/NAFR	N.A.
CAV DATE	N.A.
Uploading Date	
Transmission Date	

