

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.2668 of 2018

Arising Out of PS.Case No. -30 Year- 2018 Thana -FESHAR District- AURANGABAD

- =====
1. Mirtunjay Singh @ Mirtunjay Kumar Singh, S/o Late Ram Janam Singh,
 2. Amarjeet Kumar, S/o Tulsi Yadav, Both R/o Vill. - Barimal , P.S. - Phesar,
District- Aurangabad (Bihar).

.... 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: 24-08-2018

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 18.06.2018 in Phesar P.S. Case No. 30 of 2018 passed by the learned Special Judge S.C./S.T. (POA) Act, Aurangabad in connection with the aforesaid case registered under Sections 341, 323, 379, 504, 506/34 of the Indian Penal Code as well as Sections 3(1)(s),3(2)(va) of the SC/ST Act.

The informant was an A.N.M. deputed at Anganwari Centre of village Barimal. She left the place of her duty without administering dose of immunization to the children and the matter was



complained to the District Magistrate, Aurangabad on 23.05.2018 by the brother and father of the appellants. In the aforesaid background, allegation is that the appellants were following the informant on her way and scuffled with her. Further allegation is of snatching the money.

Submission is that false allegation is there, just to pressurize in the complaint lodged by the villagers against the informant. The appellants have got no criminal antecedent.

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 within 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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