

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2347 of 2018

Arising Out of PS. Case No.-361 Year-2018 Thana- MASAUDHI District- Patna

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1. Mandal Bind @ Madal Bind Son of Tribhuwan Bind.
 2. Sudhir Bind Son of Shambhu Bind.
 3. Prakash Bind Son of Ramjee Bind.
 4. Rahul Bind Son of Lalbabu Bind @ Lal Babu Kumar.
 5. Sri Ram Bind @ Siya Ram Bind Son of Mahesh Bind. All are resident of Village- Madhochak, P.S.- Masaurhi, District- Patna.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Anuj Kumar

For the Respondent/s : Smt. Usha Kumari No-1

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 27-11-2018

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 08.06.2018 passed by the learned Special Judge SC & ST Act-cum-Additional Sessions Judge-V, Patna in A.B.P. No.3961 of 2018, arising out of Masaurhi Police Station Case No.361 of 2018 registered under Sections 341, 147, 148, 323, 504, 506, 379, 325 of the Indian Penal Code and Sections 3 (1)(r) (s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

There is general and omnibus allegation of commission of assault and theft of cash as well as mobile phone.



Learned counsel for the appellants submits that case diary would reveal that there is no injury report. The allegation is omnibus in nature. The appellants have got no criminal antecedent of such type.

Considering the aforesaid facts, 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 conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the appellants shall fully co-operate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bonds of the appellants.

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

(Birendra Kumar, J)

abhishek/-

AFR/NAFR	N.A.
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