

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1794 of 2018

Arising Out of PS.Case No. -1 Year- 2018 Thana -SC/ST District- SHEOHAR

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1. Vishwanath Sah, Son of Late Khelawan Sah,
 2. Ramashankar Sah @ Ramashankar Prasad, Son of Vishwanath Sah,
 3. Sanjay Sah @ Sanjay Kumar, Son of Vishwanath Sah,
 4. Vijay Sah @ Vijay Kumar, Son of Vishwanath Sah, All residents of Sheohar, Ward No.13, P.S.- Sheohar, District- Sheohar.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Yashraj Bardhan, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 02-08-2018

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 against the refusal of prayer for anticipatory bail vide order dated 10.05.2018 passed by the learned Additional Sessions Judge 1st -cum-Special Judge, Sheohar, in A.B.P. No.169 of 2018, arising out of Sheohar SC/ST Police Station Case No.1 of 2018, registered under Sections 341/323/354/504/307/34 of the Indian Penal Code and Sections 3(i)(r)(s)(e)/3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Allegation is general and omnibus that the appellants committed abuse and assault against the informant for the reason that



in the past informant was Secretary of the school and bricks were purchased from the appellants for construction of the school building. However, the cost of brick was not fully paid. There is case and counter-case.

Considering the background and nature of allegation, 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/- (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.

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

(Birendra Kumar, J)

Mkr./-

AFR/NAFR	NAFR
CAV DATE	NA
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