

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1350 of 2018

Arising Out of PS. Case No.-54 Year-2016 Thana- SC/ST District- Vaishali

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1. Anil Sah @ Anil Kumar Sah, S/o Rajeshwar Sah,
 2. Rajeshwar Sah S/o Late Ramavtar Sah, Both R/o Vill.- Sorhatha,
P.S.- Vaishali (Belsar O.P.), District- Vaishali.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Subodh Prasad

For the Respondent/s : Mr. Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 16-07-2018

Heard learned counsel for the parties.

This is an appeal under Section 14 (A) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2016 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for anticipatory bail vide order dated 20.03.2018 passed by the learned Additional Sessions Judge-I, Vaishali at Hajipur in A.B.P. No.492 of 2018, arising out of S.C./S.T. Police Station Case No.54 of 2016 registered under Sections 341, 323, 504/34 of the Indian Penal Code and Section 3 (i) (r) (5) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

The allegation of commission of abuse and assault is there against the appellants for the reason that informant refused to clean the plates etc.



Submission is that Case Diary would reveal that some different reason has been assigned by the witnesses mainly for the reason that appellants had put *Pandal* etc. on the road, which caused inconvenience to the husband of the informant while going on a motorcycle and for that reason altercation had taken place between the parties.

Considering the entire facts aforesaid, 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 the appeal is allowed.

(Birendra Kumar, J)

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