

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3931 of 2018

Arising Out of PS. Case No.-889 Year-2018 Thana- SASARAM NAGAR District- Rohtas

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1. Upendra Kumar @ Upendra Kuamr, son of Gopal Chandrabanshi
 2. Challu Kumar, son of Late Bulaki Ram Chandrabanshi
 3. Santosh Kumar, son of Late Bulaki Ram Chandrabanshi
 4. Gopal Chandrabanshi, son of Ganesh Chandrabanshi
 5. Appu Kumar, son of Late Bulaki Ram Chandrabanshi All Residents of Village - Mubarakganj, Police Station - Sasaram (Town), District- Rohtas at Sasaram.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Raghunandan Kumar Singh
For the Respondent/s : Mr. Binay Krishna

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT
Date : 17-12-2018

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 27.08.2018 in Registered Case No. 184 of 2018 passed by the learned 1st Additional Sessions Judge-cum-Special Judge S.C./S.T. (POA) Act, Rohtas at Sasaram in connection with Sasaram (Town) P.S. Case No. 889 of 2018 registered under Sections 147, 148, 149, 323, 341, 307, 504, 506 of the



Indian Penal Code as well as Sections 3(i)(r)(s) of the SC/ST Act.

Title Suit No. 18 of 2008 is going on between the parties in the court of learned Munsif, Sasaram. In the aforesaid background, general and omnibus allegation is of commission of assault including injury at the head of the informant who is defendant in the suit.

Learned counsel for the informant opposed the prayer for anticipatory bail.

Considering the background and general and omnibus 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 anticipatory 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 the territorial jurisdiction of the learned court below.

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

(Birendra Kumar, J)

Kundan/Ravi

AFR/NAFR	N.A.
CAV DATE	N.A.
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