

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.436 of 2018

Arising Out of PS. Case No.-135 Year-2017 Thana- BARHARA District- Purnia

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1. Kanahiya Lal Mandal @ Kanahiya Mandal,
 2. Pravin Kumar @ Pravin Kumar Pravin, Both sons of Late Biranchi Mandal,
 3. Chhanguri Mandal, Son of Babu Lal Mandal, All R/o Kailu Tola, Sukhsena, P.S.- Barhara Kothi, District- Purnea.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Dr. Bidhu Ranjan
For the Respondent/s : Mr. Binay Krishna

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

5 16-07-2018 Heard learned counsel for the parties.

This is an appeal under Section 14(A)(i) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for anticipatory bail vide order dated 13.12.2017 passed by the learned 1st Additional Sessions Judge-cum-Special Judge, SC/ST Act, Purnea in SC/ST No.120 of 2017, arising out of Barhara Police Station Case No.135 of 2017 registered under Sections 147, 148, 149, 307, 504, 506 of the Indian Penal Code and Section 27 of the Arms Act as well as Section 3 (i)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.



Allegation is against 17 named and 03 unknown persons general and omnibus of commission of abuse by taking caste name of the villagers generally. There is allegation of firing also which caused no injury to anyone.

Considering the 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 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)

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