

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.979 of 2018

Arising Out of PS.Case No. -268 Year- 2016 Thana -CHHATAPUR District- SUPAUL

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1. Mohan Choudhary,
2. Ramu Choudhary, Both Sons of Madan Choudhary,
3. Hari Om Choudhary, S/o Biku Choudhary,
4. Ankit Kumar Choudhary,
5. Laxmi Choudhary, Both Sons of Bauku Choudhary,
6. Hari Choudhary @ Shiv Narayan Chaudhary, S/o Biso Choudhary,
7. Satto @ Satyanarayan Choudhary S/o Gena Choudhary, All are R/o Village-
Madhopur, P.S.- Chhatarpur, District- Supaul Appellant/s

Versus

1. The State of Bihar Respondent/s

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Appearance :

For the Appellant/s : Mr. Naresh Kumar Mehta, Adv
For the Respondent/s : Smt. Usha Kumari, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 30-05-2018

Heard learned counsel for the parties.

This is an appeal under Sections 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, against refusal of the prayer for anticipatory bail by the learned A.D.J.-1st Supaul, in connection with Chhatarpur P.S.Case No. 268 of 2016 registered under Sections 147, 148, 149, 342, 323, 324, 325, 307, 447, 380, 354, 504 and 506 of the Indian Penal Code as well as under Sections 3(1) (x) of the Scheduled Castes and Scheduled Tribes Act.

According to FIR, the appellants were putting their temporary stall at market on the land of the complainant. On being forbade by the complainant, they allegedly committed



abuse and assault by taking caste name. There is counter case also. The independent witnesses have stated before the police that for that dispute, both sides assaulted to each other and both sides sustained injury.

Considering the nature and background of allegation as well as statement of the appellants that they have got no criminal antecedent, 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 bond of Rs.20,000 (Twenty Thousand)each with two sureties of the like amount each to the satisfaction of 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, this appeal stands allowed.

(Birendra Kumar, J)

Nitesh/-

AFR/NAFR	NAFR
CAV DATE	NA
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