

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1214 of 2018

Arising Out of PS.Case No. -65 Year- 2018 Thana -ATRI District- GAYA

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1. Krishna Singh, S/o Late Yogendra Singh,
 2. Brijesh Kumar Singh,
 3. Pappu Singh, Both 2 & 3 are sons of Krishna Singh,
 4. Amrendra Singh, s/o late Yogendra Singh, All R/o Village- Khetila,
P.S.- Atri, District- Gaya, residing at Rajbigaha Tola, Nayanagar, P.S.-
Atri, District- Gaya.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Ajay Kumar Tiwari, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4/ 24-05-2018

Heard 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 refusal of prayer for anticipatory bail in **Atri P.S. Case No.65 of 2018** instituted under Section(s) 147, 149, 341, 323, 307, 379 Indian Penal Code and Section 3(i)(r)(s)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Counsel for the appellants has submitted that instant case has been filed on account of the case lodged by the appellant No.1, Krishna Singh, on 03.03.2018 vide Atri P.S. Case No.63 of



2018 against the informant and others.

In the instant case, there is general and omnibus allegation that the appellants assaulted the Informant and his other family members when he raised objection for cutting soil from the land.

From the written report itself, it appears that there is land dispute between the parties.

Considering the aforesaid facts, let the appellants, above named, in the event of their arrest/surrender within a period of six weeks from today in connection with **Atri P.S. Case No.65 of 2018**, be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the **Exclusive Court, SC/ST Special, Gaya**, subject to the conditions as laid down under Section 438(2) Cr. P. C. with further conditions: (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) appellants shall cooperate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be liable to cancel his bail bond and (3) if appellants tamper with the evidence or the witnesses of the case, in that case,



prosecution will be at liberty to move for cancellation of bail of the appellants.

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

(Sanjay Priya, J)

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