

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1150 of 2018

Arising Out of PS.Case No. -47 Year- 2018 Thana -PARSABAZAR District- PATNA

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1. Binod Kumar, Son of Krishnanandan Prasad,
 2. Krishnanandan Prasad, Son of Late Pokhi Lal,
 3. Shakuntala Devi, Wife of Krishnanandan Prasad, All are resident of village/Mohalla- New Atwarpur, Police Station- Parsa Bazar, District- Patna.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :
For the Appellant/s : Mr. Vibhuti Ranjan Sonvadra, Advocate
For the Respondent/s : Mr. Binay Krishna, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 10-05-2018

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 against the refusal of prayer for anticipatory bail by the learned Special Judge (S.C./S.T. Act)-cum-Additional Sessions Judge-V, Patna, in Parsa Bazar Police Station Case No. 47 of 2018 registered under Sections 341/323/504/420/34 of the Indian Penal Code and Sections 3(i)(x)/3(i)(r)/3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Co-accused Ishwar Raj @ Vikash had received advance consideration money, for transfer of immovable property, from the complainant. Ishwar Raj was son of appellant Nos. 2 and 3 and brother of appellant No. 1 and the land was not transferred. The appellants promised to refund the money. However, the entire money was not



refunded and allegation is that the appellants abused by taking caste name of the informant.

Learned counsel for the appellants submits that earlier for some dispute appellant Shakuntala Devi has also lodged Parsa Bazar P.S. Case No. 46 of 2018 against the informant of this case and others.

Considering the background 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/- (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.

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

(Birendra Kumar, J)

Mkr./-

AFR/NAFR	
CAV DATE	NA
Uploading Date	
Transmission Date	

