

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1881 of 2018

Arising Out of PS.Case No. -54 Year- 2018 Thana -GAURICHAK District- PATNA

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1. Gopal Sao, age 68 Years, S/o Late Devnandan Sao,
2. Krishna Sao age 61 Years S/o late Ayodhya Sao,
3. Sikri Sao, age 29 Years, S/o Gopal Sao, All (1) to (3) R/o Vill.- Kansari, P.S.-
Gaurichak, District- Patna. Appellant/s

Versus

1. The State of Bihar Respondent/s

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Appearance :

For the Appellant/s : Mr. Krishna Nand Jha, Adv

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 03-08-2018

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 order dated 06.04.2018 in A.B.P. No.2020 of 2018 passed by the learned Special Judge SC/ST-cum-A.D.J.-V., Patna in connection with Special Case No.111 of 2018 arising out of Gaurichak P.S.Case No. 54 of 2018 registered under Sections 147,341,323,337,338,504,379 of the Indian Penal Code and Sections 3(i)(r)(s) of the Scheduled Castes and Scheduled Tribes Act.

One Krishna Sao was quarrelling with his son and was assaulting him. The informant went to rescue him and for that reason, there is general and omnibus allegation of commission of abuse and assault to the informant. The facts of



the case does not reveal that the appellants were intending to humiliate a member of the scheduled caste.

Hence, let the appellants, above named, who have got no criminal antecedent, 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 and both bailors shall be resident of territorial jurisdiction of the learned court below and further 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 this appeal stands allowed.

(Birendra Kumar, J)

Nitesh/-

AFR/NAFR	NAFR
CAV DATE	NA
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