

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3291 of 2018

Arising Out of PS. Case No.-63 Year-2016 Thana- SC/ST District- Purnia

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1. Ashok Sahni
 2. Pritam Sahni
 3. Shib Kumar @ Shiv Kumar Sahni
 4. Bibhuti Sahani All sons of Girjanand Sahni
 5. Ranjan Sahani, Son of Pritam Sahani
 6. Mithun Sahani @ Mithun Kumar Son of Ashok Sahani all residents of Village- Teldiha, P.S. Tikapatti, District- Purnea.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Bimal Kumar

For the Respondent/s : Smt. Usha Kumari No-1

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 10-10-2018

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 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for anticipatory bail vide order dated 05.07.2018 passed by the learned 1st Additional Sessions Judge-cum-Special Judge, Purnea in A.B.P. No.40 of 2018, arising out of S.C./S.T. Police Station Case No.63 of 2016 registered under Sections 147, 149, 341, 447, 323, 379, 504, 506 of the Indian Penal Code and Sections 3 (i)(r)(s)(w)(ii) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Land dispute is the reason behind the criminal case, which would be evident from perusal of the F.I.R. of counter case at



Annexure 3. The allegation is general and omnibus of commission of abuse and assault as well as theft.

Considering the aforesaid facts and the statement of the appellants on oath in supplementary affidavit 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 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)

abhishek/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

