

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.3668 of 2018

rising Out of PS. Case No.-144 Year-2018 Thana- DESARI District- Vaishali

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1. Raman Rai, Son of Sofi Rai,
 2. Rajnish Kumar, Son Raman Rai.
 3. Munni Devi, Wife of Raman Rai.
 4. Sita Devi, Daughter of Raman Rai. All are resident of Village Sultanpur, P.S.- Desari, District- Vaishali. Appellant/s
- Versus
1. The State of Bihar.
 2. Shila Devi, Wife of Mital Das, resident of Village- Sultanpur, P.S.- Desari, District- Vaishali. Respondent/s
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Appearance :

For the Appellant/s : Mr. Ashok Kumar Mishra, Adv
For the Respondent/s : Mr. Sri Sadanand Paswan, SPP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 10-12-2018

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 28.08.2018 in A.B.P. No.1452 of 2018 passed by the learned Additional Sessions Judge-I, Vaishali at Hajipur arising out of Desari P.S.Case No. 144 of 2018 registered under Sections 147,341,323,324,427,379,504 of the Indian Penal Code and Sections 3(1)(r)(s) of the Scheduled Castes and Scheduled Tribes Act.

Appellant No.1-Raman Rai allegedly assaulted at the forehead of the informant with weapon of cutting.

Considering the fact that appellant-Raman Rai



had knowledge that his act might cause death, I am not inclined to enlarge him on anticipatory bail.

There is general and omnibus allegation of commission of assault against other appellants, 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 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, this appeal is partly allowed and partly dismissed.

(Birendra Kumar, J)

Nitesh/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	11.12.2018
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