

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Appeal (SJ) No.656 of 2018**

Arising Out of PS.Case No. -15 Year- 2018 Thana -DAUDNAGAR District- AURANGABAD

- =====
1. Rabindra Singh, Son of Ayodhya Singh,
  2. Kundan Kumar,
  3. Chotu Kumar, 2 & 3 both are sons of Rabindra Singh, All are resident of Village- Chouram, P.S.- Daudnagar, District- Aurangabad.

.... .... Appellant/s

Versus

1. The State of Bihar.

.... .... Respondent/s

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**Appearance :**

For the Appellant/s : Mr. Shailesh Kumar Singh, Advocate

For the Respondent/s : Mr. Ajit Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR**  
**ORAL ORDER**

2      09-03-2018

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 1<sup>st</sup> Additional Sessions Judge-cum-Special Judge (S.C./S.T. Act), Aurangabad, in Daudnagar Police Station Case No.15 of 2018 registered under Sections 341/323/504/34 of the Indian Penal Code and Section 3(i) (r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

There is general and omnibus allegation of commission of abuse and assault even by taking caste name of the informant.

Submission is that to attract the provisions of



Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, the accusation must be specific and there is no mention as to who had uttered caste name of the informant.

Finding substance in the aforesaid submission, 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 appeal is allowed.

**(Birendra Kumar, J)**

Mkr./-

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