

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.398 of 2018

Arising Out of PS.Case No. -299 Year- 2017 Thana -ROHTAS District- SASARAM (ROHTAS)

- =====
1. Shri Kushwaha @ Shri Niwas Kushwaha @ Shri Niwas Singh,
 2. Hari Kushwaha @ Hari Niwas Kushwaha @ Hari Niwas Singh, Both
Sons of Late Shamdeo Kushwaha, Both R/o village- Karma, P.S.-
Rohtas, District- Rohtas.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Ramchandra Singh, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 09-03-2018 Heard learned counsel for the parties.

This is an appeal under Section 14(A) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer for anticipatory bail by the learned 1st Additional Sessions Judge, Rohtas at Sasaram in Rohtas Police Station Case No.299 of 2017 registered under Sections 341/323/504/34 of the Indian Penal Code and Sections 3(i) (r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

For land dispute there is general and omnibus allegation of commission of abuse and assault. The FIR does not disclose commission of any offence under the provisions of



Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, for the purpose of this appeal.

Considering the aforesaid facts, 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)

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