

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.953 of 2018

Arising Out of PS.Case No. -3 Year- 2018 Thana -GURUA District- GAYA

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1. Sunil Kumar Son of late Ramanand Prasad
 2. Bipin Singh Son of Lakshmi Narain Singh
 3. Raju Singh@ Raja Singh Son of Bineshwar Singh
 4. Saurav Singh Son of Jitendra Singh
 5. Brajesh Singh Son of Balinder Singh All are resident of Village-Barma, P.S. Guraru, District- Gaya.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Dhananjay Kumar Gupta, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 10-04-2018

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 Special Judge (S.C./S.T. Act), Gaya, in connection with Gurua Police Station Case No.3 of 2018 registered under Sections 147/148/149/341/323/337/452/380/427/504/506 of the Indian Penal Code and Sections 3(i) (r)(s)/2(v-a) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

There is general and omnibus allegation of commission of assault, abuse and theft.



Learned counsel for the appellants submits that FIR at Annexure-2 would reveal that the son of the informant has sexually harassed to Nisa Kumari for which she had lodged case and just to pressurize in that case the false case with general and omnibus allegation has been lodged.

Considering the background and the nature of allegation, 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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