

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.310 of 2018

Arising Out of PS.Case No. -139 Year- 2014 Thana -KESARIA District-
EASTCHAMPARAN(MOTIHARI)

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1. Suresh Sah, Son of Late Kedar Sah,
2. Dasai Das, Son of Late Prit Das,
3. Mahesh Das, Son of Late Prit Das,
4. Rajdeo Das @ Rajdeo Sah, Son of Budhu Sah, All residents of Village-
Lal Chhapra Bairiya, P.S.- Kesariya, District- East Champaran.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Umesh Chandra Verma, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 22-03-2018

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 the learned 1st Additional Sessions Judge-cum-Special Judge, SC/ST Act, East Champaran at Motihari in connection with Kesharia P.S.Case No. 139 of 2014 registered under Sections 147,148,149,323,447,342,436,504 of the Indian Penal Code as well as under Sections 3(i)(x) of the Scheduled Castes and Scheduled Tribes Act.

Submission is that the appellant Nos. 2 to 4 are members of the scheduled castes. Hence, the bar under Section 18 of the Scheduled Castes and Scheduled Tribes



(Prevention of Atrocities) Act is not applicable against these appellants. The police submitted chargesheet for bailable offence under the Indian Penal Code.

Learned counsel for the informant opposed the prayer for anticipatory bail.

Considering the aforesaid facts, let the appellant Nos.2 to 4, 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 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.

I am not inclined to enlarge the appellant Suresh Sah on anticipatory bail because chargesheet has been submitted for offence under the provisions of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act. Hence, his prayer of anticipatory bail in this appeal is refused.



Accordingly, this appeal stands disposed of.

(Birendra Kumar, J)

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