

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.542 of 2018

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1. Sagar Singh, son of Late Sharda Singh.
2. Sonal Singh, Son of Satyendra Singh.
3. Yugeshwar Singh @ Yugesh Singh, Son of Late Raj Ballabh Singh.
4. Golu Kumar Singh @ Golu Kumar @ Vivek Singh, son of Guddu Singh.
5. Komal Kumar @ Komal Singh, Son of Satyendra Singh, All Residents of Village- Hichhapur, Police Station- Konch, District- Gaya.
6. Vijay Singh, Son of Late Ram Bachan Singh, Resident of Village- Dihura, Police Station- Tekari, District- Gaya. Appellant/s

Versus

1. The State of Bihar. Respondent/s

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Appearance :

For the Appellant/s : Mr. Syed Masleh-Uddin Ashraf, Adv.
For the Respondent/s : Mr. Binay Krishna, SPP.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 26-02-2018

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 Special Court (Special Judge), SC/ST, Gaya in connection with Konch P.S.Case No. 297 of 2017 registered under Sections 147,149,341,323,354,307,504 of the Indian Penal Code as well as under Sections 3 (I)(r)(s) of the Scheduled Castes and Scheduled Tribes Act.

There is general and omnibus allegation of commission of abuse and assault against seven persons.

Submission of the learned counsel for the appellants is that it is not specific in the FIR that which name of caste was uttered by any of the appellants and that the allegation has been levelled in the last sentence of the FIR



just to make the allegation more serious. The appellants have got no criminal antecedent.

Considering the aforesaid fact, 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 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, this appeal stands allowed.

(Birendra Kumar, J)

Nitesh/-

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