

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1912 of 2018

Arising Out of PS.Case No. -15 Year- 2015 Thana -ANDHRAMATH District- MADHUBANI

- =====
1. Pawan Kumar Singh @ Baban Singh
 2. Rakesh Singh @ Rakesh Kumar Singh
 3. Ravindra Singh @ Ravindra Pd. Singh
 4. Vinay Singh @ Vinay Kumar Singh
 5. Sushil Singh
 6. Navin Singh @ Navin Kumar Singh
 7. Sushant Singh
 8. Dhiraj Singh &
 9. Anoj Singh @ Anoj Kumar Singh

.... Appellants

Versus

The State of Bihar

.... Respondent

=====

Appearance :

For the Appellant/s : Mr. Shashank Shekhar

For the Respondent/s : Mr. Sadanand Paswan

=====

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 29-05-2018 Heard learned counsel for the appellants and learned Special
Public Prosecutor for the State.

This is an appeal under Section 14 (A) (2) of the Scheduled
Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989
(hereinafter referred to as the “SC/ST Act”) against the refusal of
prayer for **anticipatory bail** by the learned Special Judge (S.C./S.T.)
Madhubani in Andhramath P.S. Case No. 15 of 2015, registered under
Sections 147, 341, 323, 354, 504 and 34 of the Indian Penal Code as
well as Sections 3 (i) (X) of the SC/ST Act.

Learned Special Public Prosecutor has opposed the prayer
for bail.

The occurrence of abused and assault, allegedly, took place
due to the dispute relating to cutting the bamboos.



Submission of the learned counsel for the appellants is that Andhramath P.S. Case No. 14 of 2015 was lodged by appellant Pawan Kumar Singh against the informant of this case and others alleging that they have forcefully cut away bamboos from the bamboo clamp of the appellants.

Considering the bona fides claim of the appellants as well as nature of allegations, the appellants deserve anticipatory bail.

Accordingly, the appellants named above, in the event of their arrest or surrender before the court below within a period of 30 days from the date of receipt of the order, shall be released on bail on furnishing bail bond 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 co-operate with the investigation and 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 this appeal stands allowed.

(Birendra Kumar, J)

A.K.V./-

U		T	
---	--	---	--

