

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Appeal (SJ) No.3343 of 2018**

Arising Out of PS. Case No.-180 Year-2018 Thana- DARIYAPUR District- Saran

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1. Rakesh Kumar Singh @ Chunchun Singh,
  2. Lal Babu Singh @ Basant Kumar Singh,
  3. Bacha Singh @ Alakh Kumar @ Alakh Kumar Singh, all are Sons of Late Nageshwar Singh,
  4. Bitu Singh @ Pratyush Ranjan, Son of Bacha Singh @ Alakh Kumar,
  5. Navin Singh, Son of Shankar Singh, All are residents of Village- Khushalpur (Barua), Police Station- Dariyapur, District- Saran.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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**Appearance :**

For the Appellant/s : Mr. Arun

For the Respondent/s : Mr. Binay Krishna

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**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR**  
**ORAL JUDGMENT**

**Date : 11-10-2018**

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 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for anticipatory bail vide order dated 01.08.2018 passed by the learned 1<sup>st</sup> Additional Sessions Judge-cum-Special Judge S.C. & S.T. Act, Saran at Chapra in A.B.P. No.2522 of 2018, arising out of Dariyapur Police Station Case No.180 of 2018 registered under Sections 147, 148, 149, 341, 323, 504, 506 of the Indian Penal Code and Sections 3(2)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

The appellants had purchased a land from niece of one *Bhonu Singh*. The informant was care taker of the mango orchard of *Bhonu Singh*.



Submission is that on the instigation of *Bhonu Singh* with whom civil suit is going on, the informant lodged false case of commission of abuse and assault by taking caste name. Allegation is general and omnibus. The appellants have got no criminal antecedent.

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/- (Rupees 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 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/trial of the case, failing which the court below shall be at liberty to cancel the bail bonds of the appellants.

Accordingly, the impugned order is set aside and this appeal stands allowed.

**(Birendra Kumar, J)**

abhishek/-

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