

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3590 of 2018

Arising Out of PS. Case No.-200 Year-2018 Thana- PIPRA District- East Champaran

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1. Nanhe Singh @ Tarkeshwar Singh @ Tarkeshwar Kumar Singh son of Nagendra Singh
 2. Chhote Lal Singh @ Chandra Prajhat Kumar @ Chote Singh @ Chandra Prasad Kumar son of Nagendra Singh.
 3. Harendra Singh @ Jitendra Singh son of Late Ram Narayan Singh
 4. Nagendra Singh son of Late Ram Narayan Singh
 5. Ramesh Singh @ Ramesh Kumar Singh @ Rakesh Singh son of Harendra Singh
 6. Anil Singh @ Anil Kumar Singh son of Surendra Singh
 7. Ajay Singh @ Ajay Kumar Singh son of Late Hari Shankar Singh
 8. Raj Kumar Singh son of Late Hari Shankar Singh
 9. Munna Singh @ Prabhakar Singh @ Prabhakar Kumar son of Lakshman Singh
 10. Bablu Singh @ Diwakar Kumar Singh son of Lakshman Singh
- All are resident of Village- Hasanpur, P.S. Pipra, District East Champaran.

... .. Appellant/s

Versus

1. The State of Bihar.
2. Urmila Devi W/o Umesh Thakur, resident of Village- Hasanpur, P.S. Pipra, District East Champaran.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Madhurendra Kumar, Advocate
For the Respondent/s : Mr. Binay Krishna, SPP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 10-12-2018

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 vide order dated 28.08.2018 passed by the learned 1st Additional Sessions Judge-cum-Special Judge



(S.C./S.T. Act), East Champaran at Motihari, in A.B.P. No.2357 of 2018, arising out of Pipra Police Station Case No.200 of 2018, registered under Sections 147/148/323/324/325/ 448/ 379 / 354B/427/307/504/506 of the Indian Penal Code and Section 3(i)(s)(va)(z) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Title Suit No.23 of 2018 is going on between the parties in the Court of Civil Judge, Junior Division, East Champaran at Motihari for the land on which the allegation is that house of the informant was standing which was damaged and other occurrence of abuse and assault took place.

Considering the background of allegation and the statement of the appellants that they are not accused in any other case registered under the provisions of SC/ST Act, 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)

Mkr./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	11.12.2018
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