

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.2046 of 2018

Arising Out of PS.Case No. -45 Year- 2015 Thana -NANHPUR District- SITAMARHI

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1. Bharosh Ray @ Ram Bharosh Ray, Son of Biltu Ray,
2. Ganga Ray, Son of Bilas Ray Alias Ram Nandan Ray,
3. Jatan Ray, Son of Jaglal Ray @ Jau Lal Ray,
4. Daresh Ray, Son of Pardeep Ray,
5. Devindri Ray @ Devindi Ray, Son of Late Nathuni Ray,
6. Raj Kishore Ray, Son of Genai Ray @ Gena Ray,
7. Lal Babu Ray, Son of Pradeep Ray,
8. Brahmdeo Ray, Son of Yadu Ray,
9. Lakshman Ray, Son of Ram Kumar Ray,
10. Prabhu Ray, Son of Yogi Ray @ Jangi Lal Ray,
11. Shiv Shankar Ray, Son of Darab Lal Ray,
12. Yogendra Ray, Son of Jangi Lal Ray @ Janu Ray,
13. Ram Vinay Ray @ Modi Ray, Son of Devendra Ray,
14. Devendra Ray, Son of Rameshwar Ray @ Parmeshwar Ray,
15. Hari Shankar Ray @ Mogal Ray, Son of Drab Lal Ray,
16. Satyanarayan Ray, Son of Ramavatar Ray,
17. Santosh Ray, Son of Shankar Ray @ Ram Shankar Ray,
18. Shambhu Ray, Son of Shankar Ray, All resident of Village- Karhar, P.S.- Nanpur, District- Sitamarhi.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Binoy Kumar, Adv

For the Respondent/s : Mr. Binay Krishna, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 17-09-2018

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 order dated 20.02.2018 in A.B.P. No.303 of 2018/108 of



2018 passed by the learned 1st Additional District Judge-cum-Special Judge SC/ST Act, Sitamarhi in connection with Nanpur P.S.Case No. 45 of 2015 registered under Sections 147,341,323,504 of the Indian Penal Code and Sections 3(i)(x) of the Scheduled Castes and Scheduled Tribes Act.

The offences of the Indian Penal Code alleged against the appellants are bailable. The allegation is for the reason that the appellants wanted to forcibly dispossess the informant from the land allotted to the informant by the Bhudan Committee. Appellants have stated on oath that they have no concern with the land allotted by the Bhudan Committee to the informant.

Considering the statement of the appellants on oath that they have not put any claim on the said land as well as the statement that they have got no criminal antecedent, 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 and both bailors shall be resident of territorial jurisdiction of the learned court below and further 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 this appeal stands allowed.

(Birendra Kumar, J)

Nitesh/-

AFR/NAFR	NAFR
CAV DATE	NA
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