

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.2415 of 2018

Arising Out of PS.Case No. -73 Year- 2018 Thana -RAJAPAKAR District- VAISHALI(HAJIPUR)

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1. Ashok Singh son of Raghunath Singh
 2. Kallu Kumar @ Aman Kumar son of Awadh Kumar
 3. Punnu Kumar @ Pannu Kumar @ Purnendu Kumar son of Sarbindu Kumar
 4. Amit Kumar son of Sunil Singh
 5. Abhay Kumar son of Brij Kishore Singh
 6. Govind Kumar @ Amit Kumar son of Ashok Singh
 7. Guddu Kumar son of Ashok Singh All are residents of village - Rajapakar, Police Station - Rajapakar, District - Vaishali.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Girish Chandra Jha, Advocate

For the Respondent/s : Mr. Sadanand Paswan, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 10-09-2018

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 01.06.2018 passed by the learned Additional Sessions Judge-I, Vaishali at Hajipur, in A.B.P. No.985 of 2018, arising out of Rajapakar Police Station Case No.73 of 2018, registered under Sections 147/148/149/341/323/379/427/337/504/506 of the Indian Penal Code and Sections 3(i)(v)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Two cases were lodged against the appellants for the same occurrence. One was Rajapakar P.S. Case No.72 of 2018 lodged by



the police wherein the appellants were allowed anticipatory bail by a coordinate Bench of this Court in Cr. Miscellaneous No.40822 of 2018 considering the fact that there was no specific allegation and only suspicion was there.

In the present case also there is no specific allegation against any of the appellants. Hence, 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	
CAV DATE	NA
Uploading Date	
Transmission Date	

