

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.2477 of 2018

Arising Out of PS.Case No. -8 Year- 2018 Thana -SC/ST District- KHAGARIA

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1. Hari Narayan Deo @ Deo Narayan Poddar, Son of Late Deoniti Poddar,
 2. Brajesh Kumar Gandhi @ Brajesh Kumar, Son of Hari Narayan Deo @ Deo Narayan Poddar, Both residents of Village- Saraiya, P.S.- Chautham, District- Khagaria.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Amrendra Kumar, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 16-08-2018

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 22.06.2018 passed by the learned Additional Sessions Judge 1st -cum-Special Judge (S.C./S.T. Act), Khagaria, in A.B.A. No.37 of 2018, arising out of Khagaria SC/ST Police Station Case No.8 of 2018, registered under Sections 504/506/34 of the Indian Penal Code and Sections 3(i)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The FIR would reveal that there is land dispute between



the parties. The offences alleged in the Indian Penal Code against the appellants are bailable. The appellants have stated on oath that they 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/- (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
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