

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.3429 of 2018

Arising Out of PS.Case No. -219 Year- 2018 Thana -SAHPUR District- PATNA

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1. Narayan Rai, S/o Late Faudari Rai @ Late Faujdar Rai,
 2. Anil Rai S/o Late Rameshwar Rai,
 3. Amit Kumar S/o Narayan Rai,
 4. Sunny Kumar S/o Shankar Rai,
 5. Ravi Kumar S/o Shankar Rai,
 6. Prince Kumar S/o Narayan Rai,
 7. Amit Kumar S/o Pappu Rai, All are R/o Vill.- Shekhuchak (Mathiyapur), P.S.- Shahpur, District- Patna.

.... Appellants

Versus

1. The State of Bihar

.... Respondent

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Appearance :

For the Appellant/s : Mr. Nawal Kishore Prasad, Advocate
For the Respondent/s : Mr. Binay Krishna, SPP

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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 against the refusal of prayer for anticipatory bail vide order dated 13.08.2018 passed by the learned Additional Sessions Judge-IV-cum-Additional Special Judge (S.C./S.T. Act), Patna, in A.B.P. No. 5875 of 2018, arising out of Shahpur Police Station Case No. 219 of 2018, registered under Sections 147/149/341/323/324/504/506 of the Indian Penal Code and Sections 3(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The offences of the Indian Penal Code alleged against the



appellants are bailable. Allegation is general and omnibus against the appellants, who are family members. The appellants have stated on oath that they have got no criminal antecedent. Aforesaid facts are sufficient to conclude that this is not a fit case wherein appellants should be compelled to go to jail.

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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