

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.891 of 2018

Arising Out of PS.Case No. -109 Year- 2017 Thana -TARIYANI CHOWK District- SHEOHAR

- =====
1. Brijnandan Rai, S/o Lalu Ray @ Lal Babu Ray,
 2. Shiv Shankar Rai, S/o. Lalu Ray @ Lal Babu Ray
- Both R/o Village- Kundal @ Gurgawan, P.S.- Runni Saidpur, District-
Sitamarhi.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

=====

Appearance :

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

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

=====

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 10-04-2018

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 by the learned Additional Sessions Judge 1st -cum-Special Judge, Sheohar, in Tariyani Police Station Case No.109 of 2017 registered under Sections 448/341/323/325/354A/504/34 of the Indian Penal Code and Section 3(i) (r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The informant had entered into an inter-caste marriage with co-accused Prem Kumar. The marriage was not recognized by the family members. Hence, allegations against Jawahar Rai, is to have abused her by taking caste name. Further allegation is against sons of Jawahar Rai to have attempted to commit rape



against the informant. The appellants are relations of the family of Jawahar Rai. Their name has been dragged with general and omnibus allegation of commission of abuse and assault.

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
Uploading Date	14.04.2018
Transmission Date	14.04.2018

