

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.2595 of 2018

Arising Out of PS.Case No. -61 Year- 2018 Thana -THAKRAHA District-
WESTCHAMPARAN(BETTIAH)

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1. Santosh Tiwari, S/o Brijnarayan Tiwari,
2. Rahul Tiwari S/o Brijmohan Tiwari, Both are R/o Vill.- Belwari Patti, P.S.-
Thakaraha, District- West Champaran. Appellant/s

Versus

1. The State of Bihar Respondent/s

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Appearance :

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

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 18-08-2018

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 20.06.2018 in A.B.P. No.1151 of 2018 passed by
the learned Additional District and Sessions Judge-1st-cum-
Special Judge, Bettiah, West Champaran in connection with
Bettiah, Thakaraha P.S.Case No. 61 of 2018 registered under
Sections 341,323,504/34 of the Indian Penal Code and
Sections 3(i)(r) of the Scheduled Castes and Scheduled Tribes
Act.

The offences alleged under the Indian Penal Code are
bailable. The allegation of commission of abuse by taking caste
name of the informant is general and omnibus.

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 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
Uploading Date	20.08.2018
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