

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3078 of 2018

Arising Out of PS. Case No.-42 Year-2017 Thana- KACCHWA District- Rohtas

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1. Manglesh Kumar, Son of Chhote Lal Singh
 2. Saguni Kumar @ Ajit Kumar @ Sugani Kumar, Son of Rajeshwar Singh
 3. Golu Kumar @ Chandra Prakash, Son of Janardan Yadav
 4. Arvind Kumar, Son of Rajeshwar Singh
 5. Rajeshwar Singh, Son of Late Deorajit Singh
 6. Vijay Kumar @ Pammi Kumar @ Pammi, Son of Late Mangroo Singh, All are residents of village Kachhwan, Police Station Kachhwan, District Rohtas.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Dhaneshwar Prasad Gupta
For the Respondent/s : Mr. Smt Usha Kumari No-1

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 20-11-2018

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 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for anticipatory bail vide order dated 29.06.2018 in Registered Case No. 254 of 2017 passed by the learned 1st Additional Sessions Judge, Rohtas at Sasaram in connection with Kachhawan P.S. Case No. 42 of 2017 registered under Sections 147, 148, 149, 341, 323, 504,



324, 307, 506, 379 of the Indian Penal Code as well as Sections 3(i)(g)(r)(s) of the SC/ST Act.

The informant and his son were watching a T.V. serial in the market. For occupying seat to watch the serial by the appellants and others also, an occurrence of abuse and assault was committed.

Submission is that the nature of the allegation would reveal that the appellants were not intending to humiliate a member of the scheduled caste. There is counter case also.

Learned Special Public Prosecutor opposed the prayer for bail.

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/- (rupees 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 as well as condition that both the bailors shall be resident of within the territorial jurisdiction of the learned court below.

Accordingly, the impugned order is set aside and this appeal stands allowed.

(Birendra Kumar, J)

Kundan/Rajan

AFR/NAFR	N.A.
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