

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3347 of 2018

Arising Out of PS. Case No.-32 Year-2017 Thana- BHAGWAN BAZAR District- Saran

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1. Santosh Sharma, Son of Kanhaiya Sharma,
 2. Jitendra Sharma, Son of August Sharma,
 3. Rinku Sharma @ Virendra Sharma, Son of August Sharma, All are resident of Mohalla- Nai Bazar, Malkhana Chauk, P.S.- Bhagwan Bazar, District- Saran.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Dhananjay Mishra, Advocate
For the Respondent/s	:	Mr. Binay Krishna, SPP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 04-12-2018

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 31.07.2018 passed by the learned Additional Sessions Judge 1st, Saran at Chapra, in A.B.P. No.1836 of 2018, arising out of Bhagwan Bazar Police Station Case No.32 of 2017 (Complaint Case No.2912 of 2016), registered under Sections 323/341/324/307/504 of the Indian Penal Code and Section 3(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Submission is that the appellants are also members of Scheduled Caste and Scheduled Tribe community. The occurrence



allegedly took place on 24.09.2016 and the complaint was filed on 19.11.2016 without any explanation for delayed filing of the complaint petition. There is general and omnibus allegation of commission of abuse and assault.

Considering the substance in the aforesaid submission, 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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