

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3340 of 2018

Arising Out of PS. Case No.-156 Year-2018 Thana- NATHNAGAR District- Bhagalpur

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1. Sintu Kumar @ Sittu Kumar Singh @ Sittu Kumar,
 2. Mithun Kumar Singh @ Mithun Kumar, Both Sons of Prasadi Singh, resident of Village- Maniyapur, P.S.- Madhusudanpur (Nathnagar), District- Bhagalpur.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Manoj Kumar Jha
For the Respondent/s : Mr. Sadanand Paswan

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 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for anticipatory bail vide order dated 25.07.2018 passed by the learned 3rd Additional Sessions Judge-cum-Special Judge, Bhagalpur in A.B.P. No.1150 of 2018, arising out of Nathnagar Police Station Case No.156 of 2018 registered under Sections 341, 323, 354(B), 379, 504, 506/34 of the Indian Penal Code and Sections 3 (i)(r) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

The background of allegation is that the parties were on dispute for taking the referred pond on settlement for fishing



and for that reason there is general and omnibus allegation of commission of abuse, assault and theft etc. The appellants have stated on oath that they have got no criminal antecedent.

Considering the background and nature of allegation, 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 conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the appellants shall fully co-operate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bonds of the appellants.

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

(Birendra Kumar, J)

abhishek/-

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CAV DATE	
Uploading Date	
Transmission Date	

