

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3819 of 2018

Arising Out of PS. Case No.-153 Year-2018 Thana- MAHARAJGANJ District- Siwan

1. Hari Shankar Prasad, Son of Late Jaarnath Prasad,
2. Jyotish Prasad,
3. Ranjan Prasad, Both are Sons of Hari Shankar Prasad,
4. Geeta Devi, wife of Hari Shankar Prasad, All Resident of Village - Gaur, P.S.- Maharajganj, District- Siwan.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Arun Kumar Pandey
For the Respondent/s : Smt Usha Kumari No-1

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 13-12-2018

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 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for anticipatory bail vide order dated 17.09.2018 in A.B.P. No. 1619 of 2018 passed by the learned 1st Additional Sessions Judge-cum-Special Judge S.C./S.T. (POA) Act, Siwan in connection with Maharajganj P.S. Case No. 153 of 2018 registered under Sections 341, 323, 324, 354, 448, 504/34 of the Indian Penal Code as well as Sections 3(1)(r) of the SC/ST Act.

For trivial dispute, there is general and omnibus allegation of commission of abuse, assault and attempt to outrage the modesty of the informant. Appellants have got no criminal antecedent.



The case diary would reveal that both sides have abused to each other and quarreled with each other.

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 anticipatory 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 the territorial jurisdiction of the learned court below.

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

(Birendra Kumar, J)

Kundan/-

AFR/NAFR	N.A.
CAV DATE	N.A.
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