

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4105 of 2018

Arising Out of PS. Case No.-181 Year-2017 Thana- JEHANABAD COMPLAINT CASE
District- Jehanabad

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1. Manoj Kumar @ Manoj Kumar Sharma, Son of Late Satnarayan Sharma,
 2. Sunita Kumari, W/o Manoj Kumar Sharma,
 3. Ayush Ankush Kumar alias Ayush Ankur, Son of Manoj Kumar Sharma, All resident of Village Bembai, Police Station- Pali, District- Jehanabad at present Mohalla Adarsh Colony Jehanabad Ward No. 9, Police Station and District- Jehanabad.
 4. Bidhaya Nisha Kumari @ Divya Nisha, Wife of Shashank Sharma,
 5. Shashank Sharma, Son of Niraj Kumar, resident of Village Bara, Police Station- Kurtha, District- Arwal, at present residing in own house at Haluman Nagar, Police Station and District- Jehanabad wrongly Shown resident of Mohalla Adarsh Colony, Police Station and District- Jehanabad.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Sanjeev Ranjan, Advocate
For the Respondent/s : Smt Usha Kumari No-1, SPP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 18-12-2018

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 06.08.2018 passed by the learned 1st Additional Sessions Judge-cum-Special Judge (S.C./S.T. Act), Jehanabad, in A.B.P. No.1164 of 2018, arising out



of Complaint Case No.181 of 2017, registered under Sections 341/323/452/295A/298 of the Indian Penal Code and Sections 3(x)(x-i) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

A complaint filed by the same complaintant to the police relating to same occurrence was inquired by the police and it was found vide inquiry report at Annexure-2 that just to pressurize the appellants, the false allegation was leveled. Thereafter, the complaint case was filed before the Magistrate alleging general and omnibus allegation arising out of trivial dispute. The appellants have stated on oath that they have got no criminal antecedent.

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 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 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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