

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1583 of 2018

Arising Out of PS.Case No. -438 Year- 2016 Thana -NARPATGANJ District- ARRARIA

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1. Hareram Singh son of Ayodhya Singh
2. Sanjay Singh son of Ram Udgar Singh
3. Kailash Singh son of Ram Prasad Singh
4. Shankar Mandal son of late Shyam Mandal
5. Ramesh Yadav son of Durai Yadav
6. Suchit Singh @ Sujit Kr. Singh son of Hareram Singh
7. Kailash Singh son of Fulo Singh
8. Rajen Singh @ Rajendra Kr. Singh son of Ayodhya Singh
9. Raj Kumar Singh son of Ayodhya Singh
10. Dilip Yadav son of Uttim Lal Yadav
11. Bipin Mandal son of Raju Mandal
12. Md. Muddin son of Latiful
13. Md. Imamul @ Imamul son of late Habib
14. Sk. Jabul @ Jabul son of Mohammad All are residents of village - Pulha, Police Station - Narpatganj, District - Araria.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Mukesh Kuamr Rana, Adv

For the Respondent/s : Mr. Binay Krishna, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 17-07-2018

Heard learned counsel for the parties.

This is an appeal under Sections 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, against refusal of the prayer for anticipatory bail by order dated 28.03.2018 by the learned 1st Additional Sessions Judge-cum-Special Judge, Araria in connection with Narpatganj P.S.Case No. 438 of 2016 appertaining Special



SC/ST Case No.36 of 2018, G.R.No.4291 of 2016 registered under Sections 147, 148, 149, 341, 323, 324, 325, 307, 504, 506, 379 of the Indian Penal Code, Section 27 of Arms Act and Sections 3(i)(r) of the Scheduled Castes and Scheduled Tribes Act.

There is case and counter case. The background of the allegation is non-performance of agreement to sell. The allegation is general and omnibus against 27 named including the appellants as well as 50 unknown persons.

Considering the background and general and omnibus 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 anticipatory bail on furnishing bail bond of Rs.20,000 (Twenty Thousand) each with two sureties of the like amount each to the satisfaction of 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 and both bailors shall be resident of territorial jurisdiction of the learned court below and further 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



this appeal stands allowed.

(Birendra Kumar, J)

Nitesh/-

AFR/NAFR	NAFR
CAV DATE	NA
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