

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3706 of 2018

Arising Out of PS. Case No.-83 Year-2018 Thana- GOPALPUR District- West Champaran

1. Sharma Sah,
2. Ghanshyam Sah,
3. Baliram Sah, All the three Sons of Sri Mohar Sah, and residents of Village- Nuniyawa Tola, P.S.- Gopalpur, District- West Champaran.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Umesh Chandra Verma
For the Respondent/s	:	Mr. Sri Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 11-12-2018

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 21.08.2018 passed by the learned 1st Additional Sessions Judge-cum-Special Judge, West Champaran at Bettiah in A.B.P. No.1452 of 2018, arising out of Gopalpur Police Station Case No.83 of 2018 registered under Sections 341, 323, 324, 379, 504/34 of the Indian Penal Code and Sections 3 (1) (r) (w) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

There is case and counter case. Allegation of commission of assault and theft is there. Appellants have stated on oath that they



have got no criminal antecedent. Old dispute between the parties is reason for allegation.

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/- (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/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

