

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.3880 of 2018

Arising Out of PS. Case No.-111 Year-2017 Thana- GAURICHAK District- Patna

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1. Sunil Singh S/o Kameshwar Singh
 2. Mahesh Singh @ Mahesh Kumar S/o Kameshwar Singh Both are Resident of Village-Jaibar,P.S.-Gaurichak,Distt.-Patna. Appellant/s
- Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Ashutosh Kumar, Adv

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

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date : 14-12-2018

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 20.07.2018 in A.B.P. No.5173 of 2018 arising out of Gauri Chowk P.S.Case No.111 of 2017 passed by the learned 5th Addl. District and Sessions Judge-cum-Special Judge SC/ST, Patna registered under Sections 341,323,379,504,506,34 of the Indian Penal Code, Sections 3(i) of the Scheduled Castes and Scheduled Tribes Act and Section 37(a)(b) Bihar Excise Act.

The main allegation is against co-accused-Lal Singh, who had demanded money from the informant after consuming liquor. In the subsequent occurrence, on complaint of the act of Lal Singh, the appellants,



who are family members of Lal Singh, allegedly abused and committed theft. Appellants have got no criminal antecedent. Co-accused-Lal Singh has already been allowed regular bail.

Considering the 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 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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