

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Appeal (SJ) No.3972 of 2018**

Arising Out of PS. Case No.-234 Year-2018 Thana- BARHARIA District- Siwan

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1. Mantu Sah Son of Prabhu Sah
  2. Dipu Sah Son of Shambhu Sah
  3. Sabita Devi Wife of Shambhu Sah
  4. Jyoti Devi Wife of Late Pappu Sah
  5. Janki Devi Wife of Late Prahlad Sah
  6. Sangita Devi Wife of Bharath Sah All Resident of Village-Lakri  
Tole Halim Tola, P.S. Barharia, Distt.-Siwan

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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**Appearance :**

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

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**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR**  
**ORAL JUDGMENT**

**Date : 17-12-2018**

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 10.09.2018, passed by the Additional Sessions Judge-I-cum-Special Judge, Siwan in A.B.P. No.1524/2018, arising out of Barharia Police Station Case No. 234 of 2018, registered under Sections 147/447/448/ 341 /323/ 354/337/325/380/504 of the Indian Penal Code and Section 3(i) (r) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Land dispute is the reason behind the case and counter



case between the parties. Allegation is general and omnibus of abuse, assault and theft against the appellants. The appellants have stated on oath that they have got no criminal antecedent. Out of six, four appellants are female.

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 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 the appeal is allowed.

**(Birendra Kumar, J)**

Mkr./-

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