

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.2152 of 2018

Arising Out of PS.Case No. -479 Year- 2017 Thana -MINAPUR District- MUZAFFARPUR

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1. Umashankar Rai, S/o Late Ruplal Rai,
2. Vikash Kumar, S/o Sri Umashankar Rai, Both are resident of Village- Harpur
Baks, P.S.- Minapur, District- Muzaffarpur.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Pawan Kumar Singh, Advocate

For the Respondent/s : Mr. Sadanand Paswan, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 06-08-2018

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 bail vide order dated 07.06.2018 by the learned 11th Additional Sessions Judge-cum-Special Judge, Muzaffarpur, in connection with Minapur Police Station Case No.497 of 2017, registered under Sections 341/323/324/307/504/506/34 of the Indian Penal Code and Sections 3(1)(x)/3(2)(v)a/3(i)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

It appears that considering the general and omnibus nature of allegation of assault similarly situated co-accused Manoj



Rai, Sanjay Rai and a female Ramiya Devi were allowed anticipatory bail by the learned Court-below in A.B.P. No.1712 of 2018 on 29.6.2018 itself; whereas successor presiding officer has refused regular bail to the appellant only on the ground of seriousness of the allegation.

Learned counsel for the informant opposed the prayer for bail.

Considering the general and omnibus nature of allegation, let the appellants, above named, be released on bail on furnishing bail bond 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, with 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 appeal is allowed.

(Birendra Kumar, J)

Mkr./-

AFR/NAFR	NAFR
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