

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1741 of 2018

Arising Out of PS.Case No. -32 Year- 2017 Thana -PUPRI District- SITAMARHI

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1. Shantanu Kumar, Son of Manoj Kumar.
2. Ayush Kumar, Son of Manoj Kumar.
3. Rohit Kumar, Son of Amarnath Prasad. All are resident of Jaitpur, Mohalla-Pupri, P.S.- Pupri, Dist.- Sitamarhi.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

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

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 16-08-2018

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 24.02.2018 in A.B.P. No.344 of 2018/128 of 2018 passed by the learned Additional Sessions Judge-1-cum-Special Judge SC/ST Act, Sitamarhi in connection with Pupri P.S.Case No. 32 of 2017 registered under Sections 147, 149, 341, 342, 323, 324, 307, 504, 506 of the Indian Penal Code and Sections 3(i)(x) of the Scheduled Castes and Scheduled Tribes Act.

There is case and counter case. Allegation of



commission of abuse and assault is general and omnibus against several persons including the appellants. Appellants have stated on oath that they have got no criminal antecedent.

Considering the 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
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