

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.3192 of 2018

Arising Out of PS.Case No. -196 Year- 2016 Thana -SAHAR District- BHOJPUR

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1. Nandlal Tiwary son of Late Ram Ney Tiwary,
2. Lalita Devi, Wife of Sri Nandlal Tiwary,
3. Deepak Tiwary,
4. Madhu Tiwary, Both sons of Nandlal Tiwary, All residents of Village-
Barishwan, Police Station- Shahpur, District- Bhojpur Appellant/s

Versus

1. The State of Bihar ... Respondent/s

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Appearance :

For the Appellant/s : Mr. Prabhu Narayan Sharma, Adv

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 06-10-2018

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 09.05.2018 in A.B.P. No.264 of 2018 arising out of Shahpur P.S.Case No.196 of 2016 passed by the learned Additional Sessions Judge-I, Ara, Bhojpur registered under Sections 341,323,504,506 of the Indian Penal Code and Sections 3(i)(x) of the Scheduled Castes and Scheduled Tribes Act.

The offences of the Indian Penal Code alleged against the appellants are bailable. Appellants have stated on oath that they have got no criminal antecedent.

Submission is that land dispute between the parties is reason for lodging the present false case.



Considering the entire facts aforesaid, 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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