

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3799 of 2018

Arising Out of PS. Case No.-194 Year-2016 Thana- PARSA District- Saran

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1. Sanjay Rai @ Sanjay Kumar Son of Dharm Rai
 2. Santosh Rai@ Santosh Kumar Son of Uttim Rai Both Resident of Village- Baligaw, P.S. Parsa, District- Saran at Chapra.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Ajay Kumar Sharma
For the Respondent/s	:	Mr. Binay Krishna

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 13-12-2018

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 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for anticipatory bail vide order dated 11.09.2018 in A.B.P. No. 2283 of 2018 passed by the learned 1st Additional Sessions Judge-cum-Special Judge S.C./S.T. (POA) Act, Saran at Chapra in connection with Parsa P.S. Case No. 194 of 2016 registered under Sections 341, 323, 504/34 of the Indian Penal Code as well as Sections 3(i)(x) of the SC/ST Act.

Both sides are neighbours. Offences alleged under the Indian Penal Code against the appellants are bailable.



Appellants have stated on oath that they have got no criminal antecedent.

Considering the aforesaid fact, 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 bonds of Rs.20,000/- (rupees 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 as well as condition that both the bailors shall be resident of the territorial jurisdiction of the learned court below.

Accordingly, the impugned order is set aside and this appeal stands allowed.

(Birendra Kumar, J)

Kundan/Rajan

AFR/NAFR	N.A.
CAV DATE	N.A.
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