

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3525 of 2018

Arising Out of PS. Case No.-32 Year-2018 Thana- SC/ST District- East Champaran

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1. Sanjit Rai son of Rajendra Rai,
 2. Bilash Rai @ Rambilash Rai son of late Devanna Rai @ Devnandan Rai,
 3. Sandip Rai @ Sandip Kumar son of Nandkishore Rai,
 4. Rajesh Rai son of Aakendra Rai @ Akindhra Rai,
 5. Bikram Rai @ Vikram Rai son of Tarani Rai,
 6. Pramod Rai son of late Kailash Rai,
 7. Ranvir Rai son of Ramchandra Rai,
- All resident of village Kadama, P.S. Rajepur, District- East Champaran.

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 07-12-2018

Heard learned counsel for the parties.

Appellant No.1 Sanjit Rai and appellant No.6

Pramod Rai have already been arrested. Hence, their prayer for anticipatory bail is infructuous now.

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 04.07.2018 passed by the learned 1st Additional Sessions Judge-cum-Special Judge (S.C./S.T. Act), East Champaran at Motihari, in A.B.P. No.1359 of



2018, arising out of Motihari SC/ST Police Station Case No.32 of 2018, registered under Sections 147/149/341/323/ 354B /379 / 504 of the Indian Penal Code and Section 3(1)(d)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The appellants allegedly committed assault, abuse etc for the reason that appellants were apprehending that the son of the informant had induced a girl of the family of the appellants. There is counter-case also relating to abduction of the girl of the family of the appellants. The appellants have stated on oath that they have got no criminal antecedent other than a case lodged by the family members of the informant.

Considering the aforesaid facts, let the appellants, namely, Bilash Rai @ Rambilash Rai, Sandip Rai @ Sandip Kumar, Rajesh Rai, Bikram Rai @ Vikram Rai and Ranvir Rai, 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./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	10.12.2018
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