

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3700 of 2018

Arising Out of PS. Case No.-139 Year-2018 Thana- NARDIGANJ District- Nawada

1. Devendra Thakur,
2. Pradeep Thakur,
3. Ashok Thakur, All Sons of Late Lalo Thakur,
4. Raja Thakur, Son of Raj Kumar Sharma,
5. Nilam Devi, Wife of Ashok Thakur, All residents of Village- Salempur, Police Station- Rajauli, District- Nawada and Presently residing at Village- Nanaura, Police Station- Nardiganj, District- Nawada.
6. Avjit Thakur, Son of Ram Jatan Sharma, Resident of Village- Bhandra Jor, Thana Road, Police Station- Nawada, District- Nawada, Presently residing at Village- Nanaura, Police Station- Nardiganj, District- Nawada.
7. Nitish Thakur, Son of Birendra Sharma, Resident of Village Chhoti Pali, Police Station- Narhat, District- Nawada, Presently residing at Village- Nanaura, Police Station- Nardiganj, District- Nawada.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Jai Shanker Prasad
For the Respondent/s : Mr. Sri Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 11-12-2018

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 31.08.2018 passed by the learned Additional Sessions Judge-I-cum-Special Judge, S.C./S.T. (P.O.A.) Act, Nawada in A.B.P. No.1395 of 2018, arising out of Nardiganj Police Station Case



No.139 of 2018 registered under Sections 147, 148, 341, 323, 448, 354(B), 504, 506 of the Indian Penal Code and Sections 3(1)(r) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

For land dispute, there is general and omnibus allegation of commission of abuse and assault. There is case and counter case.

Considering the general and omnibus nature of allegation as well as statement of the appellants on oath that they have got no criminal antecedent, 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 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 conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the appellants shall fully co-operate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bonds of the appellants.



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

(Birendra Kumar, J)

abhishek/-

AFR/NAFR	NAFR
CAV DATE	N.A.
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