

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1062 of 2018

Arising Out of PS.Case No. -340 Year- 2017 Thana -KARAHGAR District- SASARAM (ROHTAS)

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1. Vijay Shankar Rai, S/o Late Sheo Bachan Rai,
 2. Satish Kumar Rai @ Satish Kumar @ Bhurkush Rai, S/o Ashok Kumar Rai,
 3. Bidhat Rai @ Vikash Kumar Rai S/o Ashok Kumar Rai,
 4. Golu Rai @ Pawan Kumar @ Pawan Kumar Rai S/o Vijay Shankar Rai,
 5. Chhotu Rai @ Rishikesh Rai, S/o Vijay Shankar Rai,
 6. Ashok Rai @ Ashok Kumar Rai, S/o Late Sheo Late Sheo Bachan Rai, All R/o Village- Panapur, P.S.- Kargahar, District- Rohtas.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Amrendra Narayan, Advocate

For the Respondent/s : Mr. Binay Krishna, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 29-06-2018

Heard learned counsel for the parties.

This is an appeal under Section 14A (1) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015, (hereinafter referred to as the “S.C./S.T. Act”) against the refusal of prayer for anticipatory bail vide order dated 08.03.2018 passed in A.B.P. No.52 of 2018, by the learned Additional Sessions Judge-I, Rohtas at Sasaram, in connection with Kargahar P.S. Case No.340 of 2017, registered under Sections 341, 323, 504/34 of the Indian Penal Code and Section 3(i) (r) (s) of the S.C./S.T. Act.

There is general and omnibus allegation against all the



appellants of commission of abuse and assault by taking caste name of the informant.

Submission is that no other witness has supported the allegation, which is general and omnibus. The offences alleged under the Penal Code are bailable one.

Considering the entire facts, 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 bond 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 and 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	
CAV DATE	
Uploading Date	
Transmission Date	

