

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1651 of 2018

Arising Out of PS. Case No.-156 Year-2016 Thana- BAHADURPUR District- Patna

-
1. Rakesh Kumar @ Sonu Kumar age about 31 years, Son of Indradeo Ram,
 2. Nakul Kumar @ Vikash Kumar age about 23 years, Son of Rabindra Paswan, both resident of Mohalla- Husenganj, Police Station- Barh, District- Patna.
 3. Nitish Kumar age about 27 Years, Son of Sharvan Ray, resident of Mohalla- Gulabbag, Police Station- Barh, District- Patna.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Surya Narayan Yadav
For the Respondent/s : Mr. Binay Krishna

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 17-07-2018

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) Amendment Act, 2015 (hereinafter referred to as “SC/ST Act”) against the refusal of prayer for anticipatory bail vide order dated 05.04.2018 passed by the learned Additional Sessions Judge-Vth-cum-Special Judge, SC/ST Act, Patna, in A.B.P. No.2125 of 2018, arising out of Bahadurpur Police Station Case No.156 of 2016 registered under Sections 341, 323, 504/34 of the Indian Penal Code and Section 3(1)(X) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.



The offences of the Indian Penal Code alleged in the F.I.R. are bailable. The appellants are not named in the F.I.R.

The aforesaid material is sufficient to conclude that this is not a fit case, wherein the appellants should be compelled to go to jail. Hence 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	
CAV DATE	
Uploading Date	
Transmission Date	

