

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1703 of 2018

Arising Out of PS.Case No. -16 Year- 2018 Thana -MALI District- AURANGABAD

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1. Raushan Kumar Singh @ Raushan Singh, Son of Raj Mohan Singh.
2. Ravikant Singh, Son of Prasad Singh.
3. Vinod Singh, Son of Chhedi Singh.
4. Bhola Kumar Singh @ Bhola Singh, Son of Binod Singh.
5. Santosh Kumar Singh @ Santosh Singh, Son of Rajmohan Singh.
6. Raj Mohan Singh, Son of Jadu Singh, All are resident of Village- Kolha Manjauli, P.S. Malli, District- Aurangabad.

.... Appellant/s

Versus

1. The State of Bihar.
2. Kanhai Ram, Son of Late Ganeshi Ram, Resident of Village- Kolha Manjauli, P.S.- Mali, District- Aurangabad.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Sanjay Kumar, Adv

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 25-09-2018

Heard learned counsel for the parties.

This is an appeal under Sections 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, against refusal of the prayer for anticipatory bail by order dated 20.04.2018 in Mali P.S.Case No.16 of 2018 passed by the learned 1st Additional District and Sessions Judge-cum-Special Judge SC/ST Act, Aurangabad registered under Sections 147,149,341,323,307,354(A),504,506 of the Indian Penal Code and Sections 3(1)(r)/3(i(s)/3(2)(va) of the



Scheduled Castes and Scheduled Tribes Act.

There is land dispute between the parties which is evident from the supplementary affidavit filed by the appellants and counter affidavit filed by the informant. In the aforesaid background, allegation is of commission of abuse and assault.

Learned counsel for the informant opposed the prayer for anticipatory bail on the ground that Doctor has found serious injury.

Considering the background and nature of real dispute between the parties and nature of allegation, 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 bond of Rs.20,000 (Twenty Thousand) each with two sureties of the like amount each to the satisfaction of 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 and both bailors shall be resident of territorial jurisdiction of the learned court below and further 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



this appeal stands allowed.

(Birendra Kumar, J)

Nitesh/-

AFR/NAFR	NAFR
CAV DATE	NA
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