

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2867 of 2018

Arising Out of PS. Case No.-328 Year-2017 Thana- HAJIPUR SADAR District- Vaishali

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1. Rakesh Rai @ Rakesh Kumar, Son of Birij Nandan Ray,
 2. Kanti Devi, Wife of Birij Nandan Ray, Both are resident of Village Dighi, Khurd P.S.- Hajipur, Sadar, District- Vaishali.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Anita Kumari Singh
For the Respondent/s : Smt Usha Kumari No-1

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 31-08-2018

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 the “SC/ST Act”) against the refusal of prayer for anticipatory bail vide order dated 26.06.2018 passed by the learned Additional Sessions Judge-I, Vaishali at Hajipur in A.B.P. No.1070 of 2018, arising out of Hajipur Sadar Police Station Case No.328 of 2017 registered under Sections 323, 341, 447, 325, 354, 379, 504 and 506 of the Indian Penal Code and Sections 3 (i)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

For land dispute the initial occurrence is alleged against *Brij Nandan Ray*, father of appellant No.1 and husband of appellant



No.2. In the subsequent occurrence the appellants also assaulted and abused. The appellants have got no criminal antecedent.

Considering the background 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 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/-

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CAV DATE	
Uploading Date	
Transmission Date	

