

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1090 of 2018

Arising Out of PS.Case No. -1512 Year- 2015 Thana -SITAMARHI COMPLAINT CASE District-
SITAMARHI

- =====
1. Ram Sobhit Sah @ Ram Shobhit Sah, Son of Late Daroga Sah,
 2. Rajesh Sah @ Rajesh Kumar Son of Ram Soibhit Sah,
 3. Mukseh Sah @ Mukesh Kumar, Son of Ram Sobhit Sah, All resident of Village and P.O. Khopa, P.S.- Runnisaidpur, District- Sitamarhi.

.... Appellant/s

Versus

1. The State of Bihar.
2. Lal Babu Ram, Son of Late Kailash Ram, resident of Village Khopa, P.S. Runnisaidpur, District- Sitamarhi.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Pushpendra Kumar Singh, Advocate

For the Respondent/s : Mr. Sadanand Paswan, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 10-05-2018

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 against the refusal of prayer for anticipatory bail by the learned Additional Sessions Judge-I-cum-Special Judge (SC/ST Act), Sitamarhi, in connection with Complaint Case No.C1/1512 of 2015 registered under Sections 147/504/323/341 of the Indian Penal Code and Sections 3(i)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The statement of the complainant on oath reveals that there is specific allegation against appellant Rajesh Sah @ Rajesh Kumar of commission of abuse by taking caste name of the complainant and of



preventing the complainant from worshipping in the temple.

Considering the aforesaid allegation, I am not inclined to enlarge appellant Rajesh Sah @ Rajesh Kumar on anticipatory bail. Hence, his appeal against refusal of anticipatory bail is dismissed.

There is general and omnibus allegation against other appellants. Hence, let the appellants, namely, Ram Sobhit Sah @ Ram Shobhit Sah and Mukesh Sah @ Mukesh Kumar, 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 bonds of Rs.20,000/- (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/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the appellants.

Accordingly, this appeal stands partly allowed and partly dismissed.

(Birendra Kumar, J)

Mkr./-

AFR/NAFR	NAFR
CAV DATE	NA
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