

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3564 of 2018

Arising Out of PS. Case No.-339 Year-2018 Thana- NAWADA District- Nawada

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1. Prince Kumar, S/o Rajo Yadav, Resident of Village- Mangar Bigha, P.S.- Nawada, District- Nawada.
 2. Ravi Kumar, S/o Upendra Yadav, Resident of Village- Mangar Bigha, P.S.- Nawada, District- Nawada.
 3. Umesh Kumar, S/o Upendra Yadav, Resident of Village- Mangar Bigha, P.S.- Nawada, District- Nawada.
 4. Rausan Kumar, S/o Navrangi Kumar, Resident of Village- Mangar Bigha, P.S.- Nawada, District- Nawada.... ... Appellant/s

Versus

The State of Bihar.

... ... Respondent/s

Appearance :

For the Appellant/s : Mr. Sheo Kumar Prasad, Adv

For the Respondent/s : Mr. Smt Usha Kumari No-1, SPP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 07-12-2018

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 04.08.2018 in A.B.P. No.1150 of 2018 passed by the learned Additional District and Sessions Judge 1st Nawada, in connection with Nawada Town P.S. Case No. 339 of 2018 registered under Sections 341, 323, 379, 504, 506, 34 of the Indian Penal Code and Sections 3(i)(r)(s) of the Scheduled Castes and Scheduled Tribes Act.

According to FIR, the appellants and others



allegedly assaulted to the son of the informant and her cousin and committed theft of ornaments.

Submission is that both sides are students of the same institution and for trivial disputes, some occurrence might have taken place. However, exaggerated statement is there in the FIR that occurrence was committed for the reason that the informant belongs to scheduled caste. Appellants have got no criminal antecedent.

Considering the aforesaid 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 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 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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