

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.275 of 2019

Arising Out of PS. Case No.-249 Year-2018 Thana- AIRPORT District- Patna

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1. Dinesh Kumar
 2. Pramod Kumar
- Both sons of Pannalal Turi Resident of Mohalla-Sheikhpura Forest Colony,
P.S.-Hawai Adda, District - Patna

... .. Appellant/s

Versus

The State Of Bihar Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Rina Sinha
For the Respondent/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 22-01-2019

This is an appeal under Section 14(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer of anticipatory bail dated 05.11.2018 passed by the learned Addl. Sessions Judge-IV -cum-Special Judge, SC/ST Act, Patna in ABP No. 8014 of 2018 arising out of Hawai Adda P.S.Case No. 249 of 2018 registered under Sections 323, 341, 354 and 504/34 of the Indian penal Code and Sections 3(1)(r)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 .

Allegation against the appellants and other accused persons is that they came to the house of the informant and asked about her husband, thereafter tried to outrage her modesty



and further allegation against other accused persons is of assaulting the husband of the informant and abused by caste name.

Submission of learned counsel for the appellants is that so far as appellant no. 2 is concerned, no allegation has been alleged and so far allegation against appellant no. 1 is concerned, no specific allegation has been alleged though there is dispute between the parties from before.

Heard learned Spl. P.P also.

Having heard both sides and in view of the facts and circumstances, as stated above, let appellants, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, be released on bail upon furnishing bail bond of Rs. 25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of the learned Addl. Sessions Judge-IV -cum-Special Judge, SC/ST Act, Patna in ABP No. 8014 of 2018 arising out of Hawaii Adda P.S. Case No. 249 of 2018; subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure with further condition that appellants shall co-operate in the investigation and make themselves available as and when required by the



police and on the event of failure on their part to appear before the police on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of their bail bonds.

Accordingly, the appeal is allowed and the impugned order is set aside with respect to them.

(Vinod Kumar Sinha, J)

sujit/-

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CAV DATE	
Uploading Date	
Transmission Date	

