

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.76 of 2019

Arising Out of PS. Case No.-150 Year-2018 Thana- PANCHRUKHI District- Siwan

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1. Pramod Sah @ Pramod Prasad, aged about 35 years, Son of Late Shanti Lal Prasad @ Santa Lal Prasad.
 2. Mainuddin Miya, aged about 30 years, Son of Jalddin Miya @ Jalaudddin Miya.
 3. Chhathu Sah aged about 40yrs, Son of Late Adalat Sah,
- All are Resident of Village - Sahlaur, P.S.- Pachrukhi (Sarai O.P.) District - Siwan

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Bijay Prakash Singh
For the Respondent/s	:	Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 05-02-2019

This is an appeal under Section 14A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer of anticipatory bail dated 18.12.2018 passed by the learned 1st Addl. Sessions Judge-cum-Special Judge, Siwan in ABP No. 2015 of 2018/2281 of 2018 arising out of Pachrukhi (Sarai) P.S.Case No. 150 of 2018 registered under Sections 147, 148, 149, 307, 323, 333, 341, 342 and 353 of the Indian penal Code and Sections 3(i)(r)(s)/3(2) (va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Allegation against the appellants and several other accused persons is of attacking on police party and abused the informant by caste name.



Submission of learned counsel for the appellants is that allegation is general and omnibus and nothing specific has been attributed against any of them and they have no criminal antecedent.

Heard learned Spl. P.P also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the appellants, 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 1st Addl. Sessions Judge-cum-Special Judge, Siwan in ABP No. 2015 of 2018/2281 of 2018 arising out of Pachrukhi (Sarai) P. S. Case No. 150 of 2018; subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

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

(Vinod Kumar Sinha, J)

sujit/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

