

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.282 of 2019

Arising Out of PS. Case No.-413 Year-2018 Thana- TEGHRHA District- Begusarai

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1. Ramnandan Sahani son of Darogi Sahani
 2. Nandani Sahani wife of Ramnandan Sahani
- both Resident of Village- Pakthaul P.S- Teghra, and District- Begusarai.

... .. Appellant/s

Versus

The State of Bihar Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Bibhuti Narayan
For the Respondent/s : Mr. Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 24-01-2019

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 07.12.2018 passed by Special Judge, SC/ST (Prevention of Atrocities) Act, Begusarai in ABP No. 2765 of 2018 arising out of Teghra P.S.Case No. 413 of 2018 registered under Sections 323,341,354,379 and 448/34 of the Indian penal Code and Sections 3(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and 37b of the Bihar Prohibition and Excise Act.

Allegation against the appellants is that they entered inside the hosue of the informant and assaulted him by butt portion of the pistol and abused him by caste name.



Submission of learned counsel for the appellants is that as a matter of fact daughter of the appellants was kidnapped and for that they lodged a case against the informant and others bearing Teghra P.S.Case No. 412 of 2018 and to save his skin, informant has lodged this false and concocted case.

Heard learned Spl. P.P also.

Having heard both sides and in view of the facts and circumstances, as stated above, let appellants, named above, 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 Special Judge, SC/ST (Prevention of Atrocities) Act, Begusarai in ABP No. 2765 of 2018 arising out of Teghra P.S.Case No. 413 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/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

