

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.486 of 2019

Arising Out of PS. Case No.-786 Year-2017 Thana- KHAGARIA District- Khagaria

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1. Mukesh Poddar, Son of Gonar Poddar
 2. Pardum Poddar @ Pardum Kumar Son of Mukesh Poddar
 3. Amit Poddar Son of Mukesh Poddar
 4. Ram Pravesh Poddar Son of Late Gonar Poddar
 5. Pappu Poddar @ Pappu Kumar Son of Ramprabesh Poddar
 6. Gulashan Kumar @ Chhotu Kumar Son of Ramprabesh Poddar
 7. Bittu Kumar Son of Bipin Poddar
 8. Guddu Kumar Son of Bipin Poddar

All are Resident of Village- Jalkaura, P.S.-Khagaria, District-Khagaria.

... .. Appellant/s

Versus

The State of Bihar Bihar

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Ram Sumiran Rai
For the Respondent/s	:	Mrs.Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 11-03-2019

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 09.01.2019 passed by the learned 1st Additional District and Sessions Judge-cum-Special Judge, SC/ST Khagaria in Spl. ABP SC/ST Act No. 03 of 2019 arising out of Khagaria (Gangour) P.S.Case No. 786 of 2017 registered under Sections 323, 325, 341, 354, 387, 504 and 506/34 of the Indian penal



Code and Sections 3(i)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Allegation against the appellants is of assaulting the son of the informant and also of demanding Rs. 50,000/- as Rangadari and allegation against appellant no. 1 is of trying to outrage the modesty of the informant.

Submission of learned counsel for the appellants is that prior to that, a case has been lodged by the appellant no. 2 against the informant's family and in order to save their skin, present case has been filed with ornamental allegation.

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 Additional District and Sessions Judge-cum-Special Judge, SC/ST Khagaria in Spl. ABP SC/ST Act No. 03 of 2019 arising out of Khagaria (Gangour) P.S. Case No. 786 of 2017; 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)

suji/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	
Transmission Date	

