

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.960 of 2019**

Arising Out of PS. Case No.-389 Year-2018 Thana- MANER District- Patna

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1. Sofil Rai
 2. Chhotan Rai
Both sons of Bihari Rai Resident of Village - Sherpur (Suverna) P.S.-
Maner, District - Patna.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mrs.Usha Kumari Singh
For the Respondent/s : Mr.Binay Krishna

**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT**

Date : 26-03-2019

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 01.02.2019 passed by the learned Special Judge, SC/ST, Patna in ABP No. 311 of 2019 in connection with Special Case No. 406 of 2018 arising out of Maner P.S.Case No. 389 of 2018 registered under Sections 323, 341, 379 and 504/34 of the Indian penal Code and Sections 3(i)(r)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Allegation against the appellants is of assaulting the informant and her sons by rod and also of snatching of golden



ear ring.

Submission of learned counsel for the appellants is that as a matter of fact, the informant used to keep her goats and buffalo in front of the shop of the appellants and due to that reason a dispute arose and the allegation of assault is false and concocted and abusing by caste name is also ornamental in nature and there is no injury report available on record.

Heard learned Spl. P.P also who has opposed the prayer for anticipatory bail on the ground that there is allegation against the appellants of assault.

Having heard both sides and in view of the facts and circumstances, as stated above, this appeal is disposed of with a direction to the appellants to surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, upon which court below shall verify the injury and if there is no serious injury found on the person of the informant and her sons, appellants shall 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 in connection with Special Case No. 406 of 2018 arising out of Maner P.S.Case No. 389 of 2018, otherwise he is free to pass any order or orders which may be deemed fit and proper;



subject to condition as laid down under Section 438(2) of the
Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

suji/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	
Transmission Date	

