

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1263 of 2019**

Arising Out of PS. Case No.-53 Year-2018 Thana- SC/ST District- Jehanabad

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1. Chinta Devi Wife of Ramekbal Barai
 2. Dhandev Barai, Son of Jagdish Barai,
 3. Sanjai Barai, Son of Ramekbal Barai,

All are resident of village- Pharidpur, Police Station- Shakurabad in the district of jehanabad.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Sunil Kumar

For the Respondent/s : Mr.Binay Krishna

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

Date : 02-04-2019

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 07.02.2019 passed by the learned 1st Addl. Sessions Judge, Jehanabad in ABP No. 92 of 2019/111 of 2019 arising out of Jehanabad SC/ST P.S.Case No. 53 of 2018 registered under Sections 147,149,307,323,379, 504 and 506 of the Indian penal Code and Sections 3(i)(r)(s)(w)/3(2)(va)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Allegation against the appellants is of abusing the informant by caste name and further allegation against appellant no. 3 is that he caught hold of the hand of wife of the informant and specific allegation of assault is against other accused persons.



Submission of learned counsel for the appellants is that land dispute is admitted which will appear from the FIR itself and no specific allegation of assault is attributed against any of the appellants.

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, Jehanabad in ABP No. 92 of 2019/111 of 2019 arising out of Jehanabad SC/ST P.S.Case No. 53 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	

