

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4532 of 2018

Arising Out of PS. Case No.-54 Year-2014 Thana- SC/ST District- Saran

1. Umesh Rai @ Umesh Ray son of late Deo Nandan Rai,
2. Pitambar Rai, son of late Deo Nandan Rai
Both are resident of village- Fatehpur Chain, P.S.- Awatar Nagar, District- Saran.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Mukesh Kumar Singh
For the Respondent/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 29-01-2019

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 08.10.2018 passed by the learned 1st Addl. Sessions Judge, Saran in ABP No. 3078 of 2018 arising out of Saran SC/ST P.S.Case No. 54 of 2014 registered under Sections 323, 341, 342, 504 and 506/34 of the Indian penal Code and Sections 3(i) (x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Allegation against the appellants is of preventing informant from sowing in his field and also assaulting him.

Submission of learned counsel for the appellants is that dispute arose with respect to construction of road and as such



false and concocted allegation has been levelled against them though no allegation has been attributed against them and all sections of penal code are bailable.

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, Saran, Chapra in ABP No. 3078 of 2018 arising out of Saran SC/ST P.S.Case No. 54 of 2014; 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/-

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CAV DATE	
Uploading Date	
Transmission Date	

