

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No. 1433 of 2019**

Arising Out of PS. Case No.-1 Year-2019 Thana- SC/ST District- Vaishali

1. Rohit Kumar Son of Dinesh Sah
2. Ramesh Sah Son of Late Laxmi Sah
3. Ravi Sah
4. Roshan Kumar
Sl. NO. 3 and 4 are sons of Suresh Sah
All are Resident of Village-Chakhur, P.S-Sadar Hajipur, District-Vaishali.
... .. Appellant/s

Versus

The State of Bihar
... .. Respondent/s

Appearance :

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

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

Date : 10-04-2019

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 07.03.2019 passed by the learned 1st Addl. Sessions Judge-cum-Special Judge, Hajipur in ABP No. 411 of 2019 arising out of Hajipur SC/ST P.S.Case No. 01 of 2019 registered under Sections 323, 324, 341 and 504 of the Indian penal Code and Sections 3(i)(r)/3(i)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Allegation against the appellants and others is that they came variously armed with Farsa, sword and rod and asked the informant as to why he is cutting roof of the leaves of toddy tree and there is allegation of assaulted by them though the specific



allegation is against one Ravi Sah.

Submission of learned counsel for the appellants is that there is case and counter case in between the parties and appellants' side received injuries and no specific allegation has been 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-cum-Special Judge, Hajipur in ABP No. 411 of 2019 arising out of Hajipur SC/ST P.S.Case No. 01 of 2019; 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	

