

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4564 of 2018

Arising Out of PS. Case No.-411 Year-2018 Thana- KUDRA District- Bhabhua (Kaimur)

1. Sushil Bind Son of Late Munshi Bind
2. Ram Chandra Bind Son of Late Chhedi Bind
3. Bali Bind Son of Lalji Bind
4. Babloo Bind Son of Shivji Bind
5. Sunil Bind Son of Bikram Bind
6. Yogesh Bind Son of Bali Bind
7. Shrawan Bind Son of Madan Bind
8. Rajesh Bind @ Rakesh Bind Son of Chhedi Bind
9. Dhanraj Bind Son of Basant Bind

All Resident of Village-Mathachak,P.S. Kudra Distt.-Kaimur at Bhabua

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Vinod Kumar Seth

For the Respondent/s : Mr.Smt Usha Kumari No-1

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 31-01-2019

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 11.10.2018 passed by the learned Addl. Sessions Judge-1st, Kaimur at Bhabua in ABP No. 1419 of 2018 arising out of Kudra P.S.Case No. 411 of 2018 corresponding to Special Case No. 161 of 2018, registered under Sections 147, 148, 149, 307, 323, 324, 325, 354, 379, 380, 448, 504 and 506 of the Indian penal Code and 3(i)(r)(s)(w) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and 27 of



the Arms Act.

Allegation against the appellants is of making indiscriminate firing and also of abusing the informant by caste name and of assaulting him by lathi and danda.

Submission of learned counsel for the appellants is that there is case and counter case in between the parties and no specific allegation has been attributed against them and considering the same, some other accused persons have been granted privilege of anticipatory bail this Court vide judgment dated 23.01.2019 passed in Cr. Appeal (SJ) No. 4516 of 2018.

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 Addl. Sessions Judge-1st-cum-Special Judge, SC/ST Act, Kaimur at Bhabua in ABP No. 1419 of 2018 arising out of Kudra P.S. Case No. 411 of 2018 corresponding to Special Case No. 161 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	

