

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4852 of 2018

Arising Out of PS. Case No.-18 Year-2018 Thana- SC/ST District- Jehanabad

-
1. Shiv Shankar Kumar, son of Shri Lala Singh
 2. Murli Dhar Sharma @ Murli Singh, son of Naresh Singh
- Both are residents of village - Mehandia, P.O. Jaipur, Police station - Mehandia, Distt.- Arwal.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Brij Kishor Mishra
For the Respondent/s : Smt Usha Kumari No-1

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 05-02-2019

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 27.11.2018 passed by the learned Addl. Sessions Judge-1st, Jehanabad in ABP No. 1655 of 2018 arising out of Arwal SC/ST P.S.Case No. 18 of 2018 registered under Sections 323, 324, 341, 379, 504 and 506/34 of the Indian penal Code and Sections 3(2) (va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Allegation against the appellants is that informant went behind the shop of the appellants to ease himself and due to that scuffle took place and there is allegation of assault and abusing the informant by caste name.



Submission of learned counsel for the appellants is that scuffle took place with respect to ease out by the informant behind his shop and just to make the case serious allegation of assault and abusing by caste name is made.

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, Jehanabad in ABP No. 1655 of 2018 arising out of Arwal SC/ST P.S.Case No. 18 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	

