

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4205 of 2018

Arising Out of PS. Case No.-14 Year-2018 Thana- SC/ST District- Vaishali

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1. Guddu Pandey Son of Late Suryadeo Pandey
 2. Rajoo Pandey Son of Late Suryadeo Pandey
 3. Upendra Pandey Son of Late Suryadeo Pandey
 4. Sone Pandey @ Samnoth Pandey Son of Late Suryadeo Pandey
- All are Resident of Village-Biropur @ Nainha Biropur, Police Station-Sadar
in the Distt. of Vaishali

... .. 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 : 22-01-2019

By way of this memo of appeal, preferred under Section 14(A) of the Scheduled Caste/Scheduled Tribes (Prevention of Atrocities) Act, 1989, appellants seek for setting aside the order dated 29.8.2018 passed in ABP No.1542 of 2018 (arising out of Hajipur SC/ST P.S.Case no.14 of 2018) for the offences punishable under Section 341, 323, 325, 504, 379/34 of the Indian Penal Code and Section 3(i)(r) 3(i)(s) of SC/ST Act by the learned Addl. Sessions Judge I Vaishali at Hajipur whereby and where-under, the appellant's application for anticipatory bail has been rejected.



Allegation against the appellant No.1 is that he demanded toddy and on not providing the toddy they abused the by taking caste name and also assaulted. There is also allegation against other accused persons of assaulting.

Submission of the learned counsel for the appellant is that as a matter of fact the FIR itself shows that the main allegation is against the appellant no.1 and in order to make the case serious other appellants have also been made accused in this case.

Heard learned Special P.P. also.

Having heard both sides, considering the facts and circumstances of the case, let the appellant no.1 Guddu Pandey surrender and make prayer for regular bail which will be considered by the learned Special Judge on its own merit and so far appellant nos.2 Rajoo Pandey, 3. Upendra Pandey and 4. Sone Pandey @ Samnoth Pandey are concerned, this appeal is allowed against them and the impugned order is set aside against them , let the appellant nos.2, 3 and 4 above named, in the event of their arrest or surrender before the learned court below within a period of six weeks from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs.25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. Sessions Judge I, Vaishali at Hajipur in connection



with Hajipur SC/ST P.S.Case No.14 of 2018, subject to condition
as laid down under Section 438 of Cr.P.C.

Accordingly with above direction, this appeal is
disposed of.

(Vinod Kumar Sinha, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	31.1.2019
Transmission Date	31.1.2019

