

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3733 of 2018

Arising Out of PS. Case No.-54 Year-2018 Thana- GAURICHAK District- Patna

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1. Munni Sao @ Sudhir Sao, aged 38 years, Son of Late Gopal Sao,
 2. Sanjay Sao, age 46 years, Son of Late Ayodhya Sao,
- Both 1 and 2 are resident of Village- Kansari, Police Station- Gaurichak,
District- Patna.

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Krishna Nand Jha
For the Respondent/s : Smt Usha Kumari No-1

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 01-02-2019

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 18.05.2018 passed by the learned Special Judge(SC/ST)-cum-ADJ-V, Patna in ABP No. 2659 of 2018 arising out of Gaurichak P.S.Case No. 54 of 2018 (Special Case No. 111 of 2018) registered under Sections 147,323,337,338,341, 379 and 504 of the Indian penal Code and Sections 3(i)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Allegation against the appellants is of abusing the informant by taking caste name and also of assaulting him.

Submission of learned counsel for the appellants is that



there is case and counter case in between the parties and other accused persons, considering the above, have been granted anticipatory bail vide judgment dated 03.08.2018 passed in Cr. Appeal (SJ) No. 1881 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 Special Judge(SC/ST)-cum- ADJ-V, Patna in ABP No. 2659 of 2018 arising out of Gaurichak P.S.Case No. 54 of 2018 (Special Case No. 111 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	

