

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4560 of 2018

Arising Out of PS. Case No.-276 Year-2018 Thana- GHOSI District- Jehanabad

1. Ramji Bind @ Ramji Vind, S/o Late Matru Bind, aged about 65 years.
2. Gaurab Bind, S/o Indran Bind, aged about 26 years,
Both Resident of Village-Gandhar, P.S. Ghosi, Distt.-Jehanabad

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Ramakant Yadav
For the Respondent/s : Mr. Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT
Date : 29-01-2019

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 29.09.2018 passed by the learned Addl. Sessions Judge 1st Jehanabad in ABP No. 1491 of 2018 arising out of Ghosi P.S. Case No. 276 of 2018 registered under Sections 307, 323, 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 and others persons is that they entered into the house of the informant and assaulted him by *danda* and also abused by taking caste name.

Submission of learned counsel for the appellants is that no case is made out against the appellants as they themselves belong to Bind community which comes under the SC/ST also



and there is notification to that effect is annexed which is annexure-1. So far allegation of assault is concerned, there is no injury report to show that injury is grievous in nature.

Heard learned Spl. P.P and learned counsel for the informant.

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. 1491 of 2018 arising out of Ghosi P.S.Case No. 276 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	

