

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4613 of 2018

Arising Out of PS. Case No.-24 Year-2018 Thana- SC/ST District- Sitamarhi

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1. Lal Babu Sah, Son of Sukhal Sah,
 2. Sukhal Sah, Son of Late Bigu Sah.
 - 3.
 4. Sanjay Sah, Son of Ganesh Sah,
 5. Mahesh Sah, Son of Dukhan Sah.
 - 6.
 7. Sanjit Sah @ Sanjiv Kumar Son of Mahesh Sah.
 8. Babita Devi, Wife of Lal Babu Sah,

All resident of Village- Kusumpur Bakhari, P.S.- Riga, Distt.- Sitamarhi.

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Vijay Kumar Mishra
For the Respondent/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 22-02-2019

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 31.10.2018 passed by the learned 1st ADJ-cum-Special Judge, Sitamarhi in ABP No. 2012 of 2018 arising out of SC/ST P.S.Case No. 24 of 2018 registered under Sections 120B, 323, 325, 341, 379 and 506 of the Indian penal Code and Sections 3(i)(s) of the Scheduled Castes and Scheduled Tribes



(Prevention of Atrocities) Act, 1989.

Allegation against the appellants is of assaulting to the informant and others and also abused them by caste name.

It is submitted that appeal against appellant nos. 3 and 6 has already been withdrawn as they have been arrested during the pendency of this appeal.

Submission of learned counsel for the appellants is that there is case and counter case in between the parties and further there is delay in lodging the FIR and no specific allegation has been attributed against any of the appellants.

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 1st ADJ-cum-Special Judge, Sitamarhi in ABP No. 2012 of 2018 arising out of Sitamarhi SC/ST P.S.Case No. 24 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	NAFR
CAV DATE	NA
Uploading Date	
Transmission Date	

