

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3222 of 2019

Arising Out of PS. Case No.-20 Year-2019 Thana- SC/ST District- Patna

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1. Sunny Kumar @ Om Raj Son of Vinod Mehata @ Vinod Kumar Resident of Mohalla - Karmali Chak, P.S.- By-pass, District - Patna.
 2. Kamlesh Kumar Son of Vinod Mehata @ Vinod Kumar Resident of Mohalla - Karmali Chak, P.S.- By-pass, District - Patna.
 3. Bobby Kumar @ Yash Raj Son of Vinod Mehata @ Vinod Kumar Resident of Mohalla - Karmali Chak, P.S.- By-pass, District - Patna.
 4. Ravi Kumar @ Ravi Shankar Kumar Son of Vinod Mehata @ Vinod Kumar Resident of Mohalla - Karmali Chak, P.S.- By-pass, District - Patna.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Abhay Kumar

For the Respondent/s : Mr. Binay Krishna

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

4 22-10-2019 Heard learned counsel for the appellants and learned
Spl. PP for the State.

This is an appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act against the refusal of prayer of anticipatory bail vide order dated 25.06.2019 passed by learned Special Judge, SC/ST Act, Patna in SC/ST Patna P.S. Case No. 20 of 2019 registered under Sections 447, 448, 341, 323, 354, 379, 504/34 of the Indian Penal Code and Section 3(1)(s)(w) of the Scheduled Castes and Scheduled Tribes (Prevention of



Atrocities) Act.

Appellants intruding into the house assaulted the informant and her son and committed heist of cash of Rs. 15,000/- and some jewellery.

It is submitted by learned counsel for the appellants that no such occurrence as alleged ever took place. They have been falsely implicated in this case due to some dispute ensued during construction of road in front of the house of both the parties. There is case and counter case between the parties. Allegation levelled against the appellants is not specific rather general and omnibus in nature. None has sustained injury in the occurrence. Allegation of theft is super addition. Appellants have no criminal antecedent.

Learned Spl. PP for the State opposed the prayer for bail.

In the facts and circumstances of the case, let the above named appellants be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, SC/ST Act, Patna in SC/ST Patna P.S. Case No. 20 of 2019,



subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

Accordingly, the impugned order is set aside and appeal is allowed.

(Prakash Chandra Jaiswal, J)

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