

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.115 of 2019

Arising Out of PS. Case No.-2 Year-2015 Thana- CHAND District- Bhabhua (Kaimur)

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1. Niraj Singh @ Niraj Kumar Singh, aged about 35 years, son of Bachau singh.
 2. Badan Ram, aged about 62 years, son of Late Bahadur Ram,
R/o vill- Sirahira, P.S.- Chand, District- Kaimur.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Rajeev Ranjan

For the Respondent/s : Mr.Sri Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 05-02-2019

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 11.09.2018 passed by the learned Addl. Sessions Judge-1st, Kaimur at Bhabua in ABP No. 1233 of 2018 arising out of Chand P.S.Case No. 02 of 2015 registered under Sections 302/34 of the Indian penal Code, 27 of the Arms Act and Sections 3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Allegation against the appellants is of provoking the accused persons for firing.

Submission of learned counsel for the appellants is that after investigation, the police has not found the case true against the appellants, however, after one year and nine months,



cognizance has been taken.

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 Addl. Sessions Judge-1st, Kaimur at Bhabua in ABP No. 1233 of 2018 arising out of Chand P.S.Case No. 02 of 2015; 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	

