

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4462 of 2018

Arising Out of PS. Case No.-159 Year-2017 Thana- NAUTAN District- West Champaran

1. Birendra Prasad S/o Late Ramautar Bhagat Resident of Village-Ahwar Shekh,P.S. Majhauria,Distt.-West Champaran
2. Manoj Prasad Satyarthi @ Manoj Satyarthi S/o Dasai Prasad Resident of Village-Siyarahi Mathia,P.S. Jagdishpur,Distt.-West Champaran

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Sanjeev Kumar

For the Respondent/s : Mr.Smt Usha Kumari No-1

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 17-01-2019

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 12.10.2018 passed by the learned 1st Addl. District and Sessions Judge-cum- Special Judge, Bettiah in ABP No. 2071 of 2018 arising out of Nautan (Jagdishpur) P.S.Case No. 159 of 2017 registered under Section 323 of the Indian penal Code and Sections 3(i)(r) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 .

Allegation against the appellants, who are headmaster and teacher of the school respectively and informant is also a teacher, is of abusing the informant by caste name and snatching



Rs. 2200/- and also of assaulting the informant.

Submission of learned counsel for the appellants is that appellants were trying to discipline the school and to maintain time table, it was objected by the informant and due to that this case has been lodged against the appellants.

Heard learned Spl. P.P also.

Having heard both sides and in view of the facts and circumstances, as stated above, let appellants abovenamed, 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 Addl. District and Sessions Judge-cum- Special Judge, Bettiah in ABP No. 2071 of 2018 arising out of Nautan (Jagdishpur) P.S.Case No. 159 of 2017; subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure with further condition that appellants shall co-operate in the investigation and make themselves available as and when required by the police and on the event of failure on their part to appear before the police on two consecutive dates without showing any genuine reasons, the prosecution is free to move



for cancellation of their bail bonds with a further condition that they will cooperate in the investigation.

Accordingly, the appeal is allowed and the impugned order is set aside with respect to them.

(Vinod Kumar Sinha, J)

sujit/-

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Uploading Date	
Transmission Date	

