

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4579 of 2018

Arising Out of PS. Case No.-43 Year-2017 Thana- NAUGACHIA District- Bhagalpur

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1. Vinod Singh Son of Pradeep Singh,
 2. Neeraj Kumar @ Neeraj Singh, Son of Ghuran Singh.
 3. Ashok Singh, Son of Devi Singh.
 4. Manoj Kumar Saxena @ Manoj Saxena, Son of Late Anup Lal Singh.
 5. Vikash Kumar @ Vikash Singh @ Muntay, Son of Bharat Lal Singh,
All are the resident of Village- Mahdatpur, Police Station- Parbatta, District- Bhagalpur.

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 31-01-2019

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 13.09.2018 passed by the learned 3rd Addl. District and Sessions Judge, Bhagalpur in ABP No. 2157 of 2018 arising out of Naugachia P.S.Case No. 43 of 2017 registered under Sections 147,148,149, 307, 323, 354, 379, 380, 448, 504 and 506 of the Indian penal Code, 27 of the Arms Act and Sections 3(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Allegation against the appellant no. 1 is of firing and against other appellants is of assaulting by lathi, danda and also taking away the articles.



Submission of learned counsel for the appellants is that there is delay of two months in lodging the complaint case and other co-accused persons, having similar allegation, have been granted anticipatory bail by this court vide order dated 07.01.20169 passed in Cr. Appeal (SJ) o. 3804 of 2018.

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 3rd Addl. District and Sessions Judge, Bhagalpur in ABP No. 2157 of 2018 arising out of Naugachia P.S.Case No. 43 of 2017; 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)

sujiit/-

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CAV DATE	
Uploading Date	
Transmission Date	

