

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4246 of 2019

Arising Out of PS. Case No.-178 Year-2019 Thana- TEGHRHA District- Begusarai

1. SIKO JHA Son of Chaturbhuj Jha Resident of Village- Barauni- 2, P.S.- Teghra, District- Begusarai.
2. Gautam Jha Son of Diwakar Jha Resident of Village-Barauni-2, P.S.-Teghra, District-Begusarai.

... .. Appellants

Versus

The State of Bihar

... .. Respondent

Appearance :

For the Appellant/s : Mr.Ram Sumiran Rai, Advocate
For the Respondent/s : Mr.

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

5 29-11-2019 Heard learned counsel for the appellants. No one appears on behalf of the State.

The appellants are seeking to challenge the order dated 20.08.019 passed by learned Special Judge, SC/ST (POA) Act, Begusarai in A.B.A. No. 1475 of 2019 arising out of Teghra P.S. Case No. 178 of 2019 registered for the offences punishable under Sections 147, 148, 341, 323, 504, 506, 384, 385, 379, 307 of the Indian Penal Code and Sections 3 (r) (s) of the SC/ST (Prevention of Atrocities) Act whereby their prayer for anticipatory bail has been rejected.

Learned counsel for the appellants submits that the allegation of assault is against Vivek Jha. So far as these appellants are concerned, the allegation against them are general



and omnibus in nature.

Considering the facts and circumstances of the case wherein there is no specific allegation against these appellants and the allegation of assault is against Vivek Jha only as also that these appellants are having clean antecedent, the impugned order dated 20.08.019 passed by learned Special Judge, SC/ST (POA) Act, Begusarai in A.B.A. No. 1475 of 2019 arising out of Teghra P.S. Case No. 178 of 2019 in respect of appellants is hereby set-aside.

Let the appellants above named in case of their arrest or surrender within a period of four weeks from today in connection with Teghra P.S. Case No. 178 of 2019 be released on bail on furnishing of bail bonds of Rs. 15,000/- (fifteen thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, SC/ST (POA) Act, Begusarai, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any



person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

(Rajeev Ranjan Prasad, J)

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