

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4506 of 2018

Arising Out of PS. Case No.-40 Year-2018 Thana- SC/ST District- Rohtas

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1. Shakuntala Devi Wife of Upendra Singh
 2. Upendra Singh Son of Ramsewak Singh
Both Residents of Village Garbhe, P.S. Kargahar, District Rohtas.
 3. Dharmendra Singh Son of Lala Singh
 4. Lala Singh, Son of Late Hari Singh
Both Residents of Village Navgai, P.O. Sikariyan, P.S. Darigaon, District-
Rohtas.

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Sada Nand Roy
For the Respondent/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 24-01-2019

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 25.10.2018 passed by the learned 1st Addl. Sessions Judge-cum-Special Court, SC/ST Act, Rohtas at Sasaram in Case No. 162 of 2018 arising out of SC/ST Dehri P.S.Case No. 40 of 2018 registered under Sections 323, 341, 379, 504 and 506 of the Indian penal Code and Sections 3(i)(r)(g)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Allegation as per the FIR is that appellants have committed theft of wheat and set the crops field on fire and also abused the informant by taking caste name.

Submission of learned counsel for the appellants is that as a



matter of fact an electric wire was passing through the field and due to short circuit, crops were burn and informant has also received compensation and dispute is with respect to said compensation as the land belongs to the appellants.

Heard learned Spl. P.P also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the appellants, named above, 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. Sessions Judge-cum-Special Court, SC/ST Act, Rohtas at Sasaram in Case No. 162 of 2018 arising out of SC/ST Dehri P.S.Case No. 40 of 2018; 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	

