

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4371 of 2018

Arising Out of PS. Case No.-29 Year-2018 Thana- NARKATIYAGANJ RAIL P.S. District-
West Champaran

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1. Bhushan Kumar, Son of Narayan Prasad,
 2. Narayan Prasad, Son of Late Gangadhar Prasad, Both are resident of Village-
Adapur, Tudhi Belwa, Police Station, Harpur, District- East Champaran.
Residing at Lock Colony, Narkatiyaganj, Dist- West Champaran.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Sanjay Kumar No.-7
For the Respondent/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 03-01-2019 This is an appeal under Section 14(A)(2) of the Scheduled
Castes and Scheduled Tribes (Prevention of Atrocities) Act,
1989 against the refusal of prayer of anticipatory bail dated
14.09.2018 passed by the Additional District and Sessions Judge
1st-cum-Special Judge, Bettiah, West Champaran in ABP No.
1393 of 2018 arising out of Narkatiyaganj Rail P. S. Case No.
29 of 2018 registered under Sections 307, 323, 341, 379, 427
and 504/34 of the Indian penal Code and Section 3(1)(x) of the
Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act, 1989 .

Allegation as per the FIR is that appellants came to the
house of the informant and abused him. Appellant No. 1
assaulted by rod, appellant No. 2 damaged the household



property and snatched Rs. 10,000/-.

Submission of learned counsel for the appellants is that injuries are found simple in nature and they are next door neighbour.

Heard learned Spl. P.P also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the 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 Additional District and Sessions Judge 1st-cum-Special Judge, Bettiah, West Champaran in ABP No. 1393 of 2018 arising out of Narkatiyaganj Rail P. S. Case No. 29 of 2018; 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.



Accordingly, the appeal is allowed and the impugned order is set aside.

(Vinod Kumar Sinha, J)

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