

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4556 of 2018

Arising Out of PS. Case No.-73 Year-2018 Thana- SC/ST District- Jamui

1. Pradeep Barnawal
2. Pintu Barnwal,
3. Rinku Barnwal,
All are Sons of Rajendra Barnwal,
4. Manoj Barnwal, Son of Bhagwan Barnwal @ Bhagwan Modi
5. Nishu Barnwal, Son of Pradeep Barnwal,
All are resident of Village- Sarebad, P.S.- Sono, District- Jamui.

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Arun Kumar
For the Respondent/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT
Date : 01-02-2019

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 01.11.2018 passed by the learned Addl. District and Sessions Judge-1st, Jamui in ABP No. 1205 of 2018 arising out of Jamui SC/ST P.S.Case No. 73 of 2018 registered under Sections 307, 323, 324, 341, 354 and 504 of the Indian penal Code and Sections 3(i)(r)/3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Allegation against the appellant no. 1 is of order giver and abusing by caste name and against appellant no. 2 is of assaulting by Khanti and against appellants no. 3 and 4 tried to



disrobe the informant and others are also named in the FIR.

Submission of learned counsel for the appellants is that there is case and counter case in between the parties and injuries are found simple in nature which will appear from Annexure-2.

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 Addl. District and Sessions Judge-1st, Jamui in ABP No. 1205 of 2018 arising out of Jamui SC/ST P.S.Case No. 73 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	

