

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4673 of 2019

Arising Out of PS. Case No.-28 Year-2019 Thana- SC/ST District- Gopalganj

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1. Santosh Chaubey Son of Yogendra Chaubey
 2. Yogendra Chaubey Son of Ramchan Chaubey
 3. Prem Kishore Chaubey Son of Shyam Bihari Chaubey
 4. Sanjay Chaubey Son of Yogendra Chaubey
 5. Nagendra Chaubey Son of Kapildeo Chaubey
 6. Shailesh Chaubey Son of Satyendra Chaubey
 7. Satyendra Chaubey Son of Kapildeo Chaubey
 8. Prawesh Chaubey Son of Late Shyam Bihari Chaubey
- All are Residents of Village - Jaisauli, P.S.- Kateya, District - Gopalganj.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Ajay Mishra, Advocate
For the Respondent/s : Mr. Binay Krishna, SPP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date : 06-01-2020

Heard learned counsel for the parties.

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 for anticipatory bail vide order dated 31.07.2019 passed in Gopalganj SC/ST P.S. Case No.28 of 2019 by the learned 1st Additional Sessions Judge, Gopalganj, under Sections 447/341/323/504/506/354B/354C/34 of the Indian Penal Code



and Sections 3(i) (v)(s)(w)/3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

It appears that some of the co-accused were allowed anticipatory bail by a coordinate Bench of this Court on 22.10.2019 in Cr. Appeal (SJ) No. 4577 of 2019 considering the old land dispute and civil suit between the parties and delay of seven days in lodging the FIR of the occurrence of abuse and assault.

Learned counsel for the informant opposed the prayer for anticipatory bail.

Considering the aforesaid facts, let the appellants, above named, in the event of their arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs.20,000/- (Twenty Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with the aforesaid case, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the appellants shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the appellants.



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

(Birendra Kumar, J)

Mkr./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	07.01.2020
Transmission Date	07.01.2020

