

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1143 of 2017

Arising Out of PS.Case No. -22 Year- 2015 Thana -ARIYARI District- SEKHPURA

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Sunil Kumar, S/o Mithilesh Prasad, 30 years, R/o village Sumka, P.S. Ariyari (Kassar), District- Sheikhpura.

.... Appellant/s

Versus

The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Surendra Prasad Singh

For the Respondent/s : Mr. Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 15-05-2017 Heard learned counsel for the appellant.

The appellant has filed the instant appeal in terms of Section 14(A) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act against an order dated 27.03.2017 passed by the learned 1st A.D.J., Sheikhpura in connection with SC/ST Case No. 123 of 2017 relating to Ariyari (Kassar) P.S. Case No. 22 of 2015, registered under Sections 147, 341, 448, 504, 337, 427 of the Indian Penal Code and under Sections 3(i)(x) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, whereby and whereunder prayer for regular bail made on behalf of the appellant has been rejected.

As per the allegation made in the F.I.R., the appellant and other co-accused went to the house of the informant and



abused him by taking caste name and also pelted bricks causing injury on his leg.

It has been submitted on behalf of the appellant that the present case is false and concocted and there is general and omnibus allegation against the appellant for which he is in custody since 27.03.2017.

Heard learned Special P.P. also.

Heard both sides and in view of the fact that there is general and omnibus allegation and the appellant is in custody for one and half month and as such, let the appellant be released on bail on furnishing bail bonds of Rs. 25,000/- (Twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned 1st Additional District & Sessions Judge, Sheikhpura in connection with Ariyari (Kassar) P.S. Case No. 22 of 2015, after setting aside the order impugned dated 27.03.2017 passed by the learned 1st Additional District and Sessions Judge, Sheikhpura in SC/ST Case No.123 of 2017, subject to conditions that the appellant shall co-operate in the investigation and make himself available before the police as and when required and in the event of failure on his part to appear before the police on two consecutive dates, the prosecution shall be free to move for cancellation of their bail bonds and further appellant will not



induce any witness or tamper with the evidence.

Accordingly, this appeal is allowed with above direction.

(Vinod Kumar Sinha, J)

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