

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3093 of 2017

Arising Out of PS.Case No. -23 Year- 2016 Thana -SC/ST District- BHABHUA (KAIMUR)

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Atri Bhardwaj @ Pappu Pandey, Son of Bageshwari Prasad Dwivedi @
Bageshwari Pandey, Resident of Mohalla-Tiwari Tola, Bhabua Ward
No.21, P.S.-Bhabua, District-Kaimur (Bhabua).

.... Appellant

Versus

The State of Bihar

.... Respondent

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Appearance :

For the Appellant/s : Mr. Kumar Sunil, Adv.

For the Respondent/s : Mr. Sri Sadanand Paswan, APP.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 12-12-2017

Heard learned counsel for the parties.

This is an appeal under Sections 14 A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, against refusal of the prayer for anticipatory bail by the learned 1st Additional Sessions Judge, Kaimur (Bhabua) in connection with SC/ST Bhabua P.S.Case No. 23 of 2016 registered under Sections 144, 447, 342, 323, 307, 504, 506, 353, 332 of the Indian Penal Code as well as under Section 3(1) (r) (s) of the Scheduled Castes and Scheduled Tribes Act.

The appellant and others were identified as members of the mob which had protested against digging the place of occurrence for construction of Awas Room. Further allegation is that the appellant abused the informant by his caste name and manhandled with the police officials



present there.

Considering the general and omnibus allegation against the appellant, let the appellant, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs.20,000 (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with SC/ST Bhabua P.S.Case No. 23 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the appellant 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 appellant.

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

(Birendra Kumar, J)

Nitesh/-

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