

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Appeal (SJ) No.1458 of 2017**

Arising Out of PS.Case No. -6 Year- 2017 Thana -KATEYA District-  
GOPALGANJ

=====

Suggu Pandey @ Rudra Pratap Pandey, Son of Hareshwar  
Pandey, Resident of Village- Rupi Bagahi, P.S. Kateya,  
District- Gopalganj.

.... .... Appellant/s

Versus

The State of Bihar

.... .... Respondent/s

=====

**Appearance :**

For the Appellant/s : Mr. Shakti Suman Kumar

For the Respondent/s : Mr. Sadanand Paswan

=====

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI  
SHARAN SINGH**

ORAL ORDER

2      12-06-2017                      Heard the parties.

The present appeal, under Section 14(A)(2) of  
the Scheduled Castes and Scheduled Tribes (Prevention of  
Atrocities), Act, 1989 (*hereinafter referred to as the  
SC/ST Act*), has been preferred against an order, dated  
04.04.2017, passed by the learned 1<sup>st</sup> Addl. District and  
Sessions Judge, Gopalganj, in connection with Kateya P.S.  
Case No. 06 of 2017, disclosing offences punishable under  
Section 436 read with Section 34 of the Indian Penal Code



and Section 3(2) (iii) of the SC/ST Act, whereby, his application for grant of regular bail has been rejected.

The case of the prosecution in brief is that on the alleged date of occurrence, *i.e.*, on 05.01.2017, the informant saw that her hut has been put on fire. She noticed that the accused persons were fleeing away.

Learned counsel, appearing on behalf of the appellant, has submitted that the case of the prosecution is out and out malicious, there being long standing disputes between the parties. He has further submitted that except for the allegation that the informant saw the appellant fleeing away, there is nothing against him. It has also been argued that there is no chance of appellant being absconding from of the course of trial/investigation, if he is allowed to be released of bail.

Considering the facts and circumstances of the case, the impugned order, dated 04.04.2017, is set-aside. This application is, accordingly, allowed.

Let the appellant, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of **1<sup>st</sup> Addl. District and Sessions Judge, Gopalganj**, in connection with **Kateya P.S. Case No. 06 of 2017.**



This is subject to the condition that the appellant shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

**(Chakradhari Sharan Singh, J)**

Praveen-II/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

