

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3320 of 2017

Arising Out of PS.Case No. -42 Year- 2017 Thana -KOTHIGRAM District- GAYA

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1. Jhaksu Bharti Son of Late Ganauri Bharti Resident of Village - Lautar,
P.S. - Kothi, District - Gaya.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Arvind Kumar Singh, Advocate

For the Respondent/s : Mr. Sadanand Paswan, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 15-12-2017

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 by the learned Special Judge (S.C./S.T. Act), Gaya, in Kothi Police Station Case No.42 of 2017 registered under Sections 147/148/149/341/342/354B/448/504/506/509 of the Indian Penal Code and Sections 3(i) (r)(s)/3(2)(w)(1)/3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The appellant is also members of the scheduled caste, which would be evident from the certificate at Annexure-2. Hence, provisions under the SC/ST Act are not attracted in the matter of appellant.



Considering the offences alleged to have committed under the Penal Code as well as considering the fact that some other co-accused has already been allowed anticipatory bail by this Court in Cr. Appeal (SJ) No.3286 of 2017, 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 bail on furnishing bail bonds of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with Kothi Police Station Case No.42 of 2017, 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, the appeal stands allowed.

(Birendra Kumar, J)

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