

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3390 of 2017

Arising Out of PS.Case No. -182 Year- 2017 Thana -PUPRI District- SITAMARHI

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1. Sanjay Kumar @ Sanjay Rai Son of Mohan Rai Resident of Village -
Bhitha Jalalpur, Police Station - Pupri, District - Sitamarhi.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

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

For the Respondent/s : Mr. Binay Krishna, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 21-12-2017

Heard learned counsel for the parties.

This is an appeal under Section 14(A)(2) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989 against the refusal of prayer for anticipatory bail by the learned Special Judge (S.C./S.T. Act), Sitamarhi, in Pupri Police Station Case No.182 of 2017 registered under Sections 341/325/354/504/34 of the Indian Penal Code and Sections 3(i) (x) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989.

Allegation against the appellant is of abusing the informant and also of assaulting him.

Submission is that there is general and omnibus allegation against the appellant and no allegation of abusing the



informant by caste name has been leveled and there is case and counter case between the parties.

Considering the aforesaid facts, 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 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 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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