

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.265 of 2018

Arising Out of PS.Case No. -453 Year- 2017 Thana -KHAGARIA District- KHAGARIA

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1. Chhotu Choudhary @ Chhoti @ Chhoti Choudhary S/o Shesh Choudhary @ Shesh Kumar Choudhary, R/o Village- Jaiprakash Nagar, P.S. & District- Khagaria.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Ram Sumiran Rai, Advocate

For the Respondent/s : Smt Usha Kumari No-1, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 13-02-2018

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 bail by the learned Additional Sessions Judge 1st -cum-Special Judge (S.C./S.T. Act), Khagaria, in connection with Khagaria Police Station Case No.453 of 2017 registered under Sections 341/323/448/363/364/379/34 of the Indian Penal Code and Section 3(i)(R)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The allegation against the appellant and others is that they allegedly abducted to the informant and committed assault and abuse by taking his caste name.

Submission is of false implication due to earlier



dispute. Similarly situated co-accused has been allowed bail by this Court in Cr. Appeal (SJ) No.171 of 2018.

Considering the aforesaid fact, let the appellant, above named, be released on bail on furnishing bail bond 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, with 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 impugned order is set aside and appeal is allowed.

(Birendra Kumar, J)

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