

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.500 of 2018

Arising Out of PS.Case No. -23 Year- 2017 Thana -SC/ST District- KISANGANJ

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1. Ajay Kumar Sinha S/o Late Chamaklal Sinha, R/o Village- Bhav Tola,
Biraniya, P.S.- Bahadurganj, District- Kishanganj.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Diwakar Sinha, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 27-03-2018

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 Special Judge, (SC/ST) Kishanganj in connection with Kishanganj SC/ST P.S.Case No. 23 of 2017 registered under Sections 341,447,323,354,379,504,506,34 of the Indian Penal Code as well as under Sections 3(1)(r)(s)(u) of the Scheduled Castes and Scheduled Tribes Act.

Earlier case was lodged by co-accused Damodar Thakur vide Bahadurganj P.S.Case No. 266 of 2017 against the informant and others for the occurrence dated 07.11.2017. The FIR was lodged on the same day. Thereafter, the present FIR was lodged for the occurrence



dated 09.11.2017 on 14.11.2017 with allegation that the appellant abused the complainant by taking caste name and others committed assault.

Submission of the learned counsel for the appellant is that due to political rivalry, false case has been lodged just to save their skin from the earlier case lodged by the appellant's side.

Considering the aforesaid submission, 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 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, this appeal stands allowed.

(Birendra Kumar, J)

Nitesh/-

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