

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No. 59 of 2018

Arising Out of PS.Case No. -30 Year- 2017 Thana -UPHARA District- AURANGABAD

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Gautam Paswan, S/o Late Ramashish Paswan, Resident of Village
Mahaddipur, P.S Uphara, District Aurangabad

.... Appellant/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Chandra Bhushan Verma

For the Respondent/s : Mr. Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 07-02-2018

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 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for anticipatory bail by the learned Special Judge (S.C./S.T.), Aurangabad in Uphara P.S. Case No. 30 of 2017 registered under Sections 341, 323, 307, 354, 379, 504, 506/34 of the Indian Penal Code as well as Sections 3(1)(r), 3(1)(s), 3(1)(w)(i), 3(2)(v) of the SC/ST Act.

Since the appellant is also a member of the scheduled caste bar under Section 18 of the SC/ST Act is not applicable.

Considering the nature of allegation under the provisions of the Indian Penal Code, 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 bond of Rs.20,000/- (rupees 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 and 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)

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