

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4008 of 2018

Arising Out of PS. Case No.-77 Year-2018 Thana- RAJAPAKAR District- Vaishali

Kamlesh Kumar Son of Ramsobhit Ray Resident of Village-Kashipur Yadav
Tola,P.S. Rajapakar,Distt.-Vaishali

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Mukesh Kumar, Advocate
For the Respondent/s : Smt Usha Kumari No-1, SPP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 17-12-2018

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 anticipatory bail vide order dated 19.09.2018 passed by the learned Additional Sessions Judge-I-cum-Special Judge (S.C./S.T. Act), Vaishali at Hajipur, in A.B.P. No.1814 of 2018, arising out of Rajapakar Police Station Case No.77 of 2018, registered under Sections 147/148/149/341/342/323/307/353/504/506 of the Indian Penal Code and Section 3(i)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

A man died in a road accident and the villagers had blocked the road traffic. When the police came for removal of



obstruction, the mob allegedly abused by taking caste name of the police officer, who is a member of scheduled caste.

Considering the general and omnibus nature of allegation, 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 impugned order is set aside and appeal stands allowed.

(Birendra Kumar, J)

Mkr./-

AFR/NAFR	NAFR
CAV DATE	NA
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