

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4636 of 2018

Arising Out of PS. Case No.-280 Year-2018 Thana- AURANGABAD TOWN District- Aurangabad

Bhola @ Akhtar @ Md. Akhtar, Son of Md. Aslam Mistry @ Md. Aslam @ Aslam, Resident of Karbla, Nawadih, P.S.- Aurangabad Town, District- Aurangabad.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Om Prakash, Advocate
For the Respondent/s	:	Mr. Sadanand Paswan, SPP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 21-12-2018

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 bail vide order dated 06.11.2018 passed by the learned 1st Additional Sessions Judge-cum-Special Judge (S.C./S.T. Act), Aurangabad, in Aurangabad Town Police Station Case No.280 of 2018, registered under Sections 341/326/307/34 of the Indian Penal Code and Section 3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The appellant and others allegedly assaulted to Sanjay Kumar with different dangerous weapons including the weapon of cutting. The doctor has found multiple injuries on the person of



Sanjay Kumar and Sanjay Kumar had supported the aforesaid allegation before the police.

Submission is that the appellant is in custody since 23.09.2018 having no criminal antecedent.

Learned counsel for the informant opposed the prayer for bail.

Considering the entire facts of this case, let the appellant, above named, be released on bail **after framing of the charges or after completion of six months of custody whichever is earlier** 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)

Mkr./-

AFR/NAFR	NAFR
CAV DATE	NA
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