

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.137 of 2018

Arising Out of PS.Case No. -83 Year- 2017 Thana -ANDER District- SIWAN

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1. Dinbandhu Chaudhary @ Bandhu Chaudhary @ Dinbandhu Yadav @
Dinbandhu, S/o Late Shivdeni Choudhary, R/o Village- Pareji, P.S.- Andar,
District- Siwan.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Ajay Kumar Pandey, Adv.

: Mrs.Rinki Kumari, Adv.

For the Informant : Mr.Akhileshwar Pandey, Adv.

For the Respondent/s : Mr. Binay Krishna, SPP.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 06-03-2018

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 Additional Sessions Judge-1st, Siwan in connection with Andar P.S.Case No. 83 of 2017 registered under Sections 341,323,436,427,423 of the Indian Penal Code as well as under Sections 3(i)(x)of the Scheduled Castes and Scheduled Tribes Act.

There is no mention in the FIR as to which name of caste, the appellant or any other accused uttered while abusing the informant.

On a bare perusal of the entire FIR, in my view,



the bar under Section 18 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act is not attracted for the purpose of this appeal.

Learned counsel for the informant opposed the prayer for anticipatory bail.

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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