

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.813 of 2018

Arising Out of PS.Case No. -48 Year- 2017 Thana -SC/ST District- JEHANABAD

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1. Jai Prakash Singh S/o Late Lavlesh Singh, R/o Village- Gandhar, P.S.- Ghosi, District- Jehanabad.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Sachchidanand Choudhary, Advocate

For the Respondent/s : Smt Usha Kumari No-1, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 10-04-2018

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 by the learned Additional Sessions Judge-cum-Special Judge (S.C./S.T. Act), Jehanabad, in connection with Jehanabad SC/ST Police Station Case No.48 of 2017 registered under Sections 147/341/323/354/427/504 of the Indian Penal Code and Section 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

There is land dispute between the parties, which would be evident from the statement of the appellant on oath in para-6 of the memo of appeal. The aforesaid fact has been suppressed in the



FIR and allegation is that the appellant and ten unknown abused the complainant by taking caste name and damaged the wall of the house under construction.

Considering the background as well as 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)

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