

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1197 of 2018

Arising Out of PS.Case No. -143 Year- 2017 Thana -TEKARI District- GAYA

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1. Jyotish Kumar @ Jyotish Sharma, son of Late Ravindra Sharma, Resident of Village- Pura, Police Station- Tekari, District- Gaya.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Manish Kumar No. 2

For the Respondent/s : Mr. Binay Krishan, SPP 245

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 11-05-2018

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, against refusal of the prayer for anticipatory bail by the learned Exclusive Special Judge, SC/ST Act, Gaya in connection with Tekari P.S. Case No. 143/2017 registered under Sections 147, 148, 149, 323, 307, 509, 504, 506 and 354 of the Indian Penal Code read with Section 27 of the Arms Act as well as Section 3(i)(r)(s) of the SC/ST Act.

The allegation is of general and omnibus nature against the F.I.R. named accused persons of commission of abuse and assault, when the informant forbade them to lift the sand



from the river. The appellant is not named in the F.I.R.

Considering the aforesaid facts, 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, the impugned order is set aside and the appeal stands allowed.

(Birendra Kumar, J.)

Rakhi

AFR/NAFR	
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