

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2447 of 2017

Arising Out of PS.Case No. -144 Year- 2011 Thana -SIRDALA District- NAWADA

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1. Bindeshwar Ram Son of Late Manik Chand Ram, R/o Mohalla-
Ambedkar Nagar, P.S.- Nawada, District- Nawada, Contemporary
Panchayat Secretary, Ghaghat Panchayat, Block Sirdalla, District- Nawada.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Arjun Prasad, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

6 22-03-2018

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 1st A.D.J.-cum-Special Judge, SC/ST, Nawada in connection with Sirdalla P.S.Case No. 144 of 2011 registered under Sections 420,409,467,468/34 of the Indian Penal Code as well as under Sections 3(i)(iv)(ix)of the Scheduled Castes and Scheduled Tribes Act.

Appellant is not named in the FIR and he is a member of the scheduled caste. Hence, offence under the provisions of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act is not applicable against the appellant.



Considering the aforesaid fact, 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)

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