

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.2434 of 2018

Arising Out of PS.Case No. -271 Year- 2017 Thana -PUPRI District- SITAMARHI

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1. Raju Mahto S/o. Ram Dev Mahto, R/o Vill.- Parsauni, P.S.- Pupri, District-Sitamarhi.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Alok Kumar Alok, Advocate

For the Respondent/s : Mrs. Usha Kumari No.1, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 16-08-2018

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 vide order dated 06.06.2018 passed by the learned Additional Sessions Judge-I-cum-Special Judge (S.C./S.T. Act), Sitamarhi, in A.B.P. No.981 of 2018/209 of 2018, arising out of Pupri Police Station Case No.271 of 2017, registered under Sections 147/148/149/341/323/307/504/536 of the Indian Penal Code and Sections 3(i)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Specific allegation of commission of assault is against other named accused. There is no allegation against the appellant of



commission of any injury to anyone. Co-accused Bhuneshwar Singh standing on similar footing has already been allowed bail by this Court vide Annexure-2.

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 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)

Mkr./-

AFR/NAFR	NAFR
CAV DATE	NA
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