

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2530 of 2018

Arising Out of PS. Case No.-155 Year-2017 Thana- WARSALIGANJ District- Nawada

Ribodh Kumar, Son of Late Pyare Mahto @ Late Payare Lal, Resident of
Village- Balwapar, P.S.- Warisaliganj, District- Nawada.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Deepak Kumar
For the Respondent/s : Smt Usha Kumari No-1

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 18-08-2018

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 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for anticipatory bail vide order dated 27.06.2018 passed by the learned 1st Additional Sessions Judge-cum-Special Judge, Nawada in A.B.P. No.934 of 2018, arising out of Warisaliganj Police Station Case No.155 of 2017 registered under Sections 147, 148, 149, 341, 323, 307, 379 of the Indian Penal Code and Section 3 (i)(r) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Submission of the learned counsel for the appellant is that the vehicle of the informant had crushed a boy on the road, as a result whereof he died and Warisaliganj P.S. Case No.154 of 2017



was registered. And just to put pressure, the present false case has been lodged with allegation that a mob of 50 persons wherein appellant was also identified, committed abuse and assault against the informant and others.

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 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 conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the appellant shall fully co-operate 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 this appeal stands allowed.

(Birendra Kumar, J)

abhishek/-

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Transmission Date	

