

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.2067 of 2018

Arising Out of PS.Case No. -83 Year- 2018 Thana -SAKRA District- MUZAFFARPUR

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1. Chandan Kumar S/o Prabhakar Mishra, R/o Vill.- Jagdishpur Baghnagri, P.S.- Sakra, District- Muzaffarpur.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Shiva Shankar Sharma, Advocate

For the Respondent/s : Mr. Sadanand Paswan, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 25-07-2018

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 26.05.2018 passed by the learned Special Judge (SC/ST Act), Muzaffarpur, in A.B.P. No.958 of 2018, arising out of Sakra Police Station Case No.83 of 2018, registered under Sections 341/323/504 of the Indian Penal Code and Sections 3(i) (x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The appellant is a shopkeeper. The son of the informant had gone to change the ball purchased from the shop of the appellant. During that course an altercation took place as the appellant abused



the son of the informant by taking caste name. The appellant has stated on oath that he has got no criminal antecedent.

Considering the 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)

Mkr./-

AFR/NAFR	NAFR
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