

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.92 of 2018

Arising Out of PS.Case No. -368 Year- 2015 Thana -GOVINDGANJ District-
EASTCHAMPARAN(MOTIHARI)

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1. Pintu Shukla @ Pintu Sukla, Son of Amerika Shukla, Resident of
Village- Khajuriya, P.S.- Malahi, District- East Champaran.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Umesh Chandra Verma, Advocate
Mr. Abhishek Kumar @ Sonu Babu, Advocate

For the Respondent/s : Mr. Binay Krishna, S.P.P.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 11-01-2018

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 by the learned 1st Additional Sessions Judge-cum-Special Judge (S.C./S.T.), East Champaran, Motihari in Govindganj P.S. Case No. 368 of 2015 registered under Sections 447, 341, 342, 323, 379, 504, 506 of the Indian Penal Code as well as Sections 3(x)(i) of the SC/ST Act.

The occurrence of assault and abuse has not taken in public place as per the FIR. Hence, bar under Section 18 of the SC/ST Act is not attracted.

Aforesaid is the submission of the learned counsel for



the appellant.

Learned Special Public Prosecutor has opposed the prayer for bail.

Finding substance in the submission, 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, this appeal stands allowed.

(Birendra Kumar, J)

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