

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3358 of 2018

Arising Out of PS. Case No.-37 Year-2018 Thana- NTPC District- Patna

Rakesh Kumar, S/o Raju Ram @ Rajendra Kumar, R/o Village- Mojahidpur,
Police Station – N.T.P.C., District – Patna.

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Ashok Kumar Kashyap
For the Respondent/s : Mr. Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 07-09-2018

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 21.07.2018 passed by the learned Special Judge S.C./S.T. Act-cum-Additional Sessions Judge-V, Patna in A.B.P. No.5220 of 2018, arising out of N.T.P.C. Police Station Case No.37 of 2018 registered under Sections 147, 148, 149, 341, 323, 447, 504, 506 of the Indian Penal Code and Sections 3 (1) (r) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

There is case and counter case between the parties.

Allegation of commission of assault is general and omnibus. The offences of the Indian Penal Code alleged against



the appellants are bailable. The appellants have stated on oath that they have got no criminal antecedent.

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 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/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

