

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4125 of 2018

Arising Out of PS. Case No.-43 Year-2015 Thana- SC/ST District- Saran

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Lav Singh @ Lav Kumar Singh, Son of Late Chandrika Singh, Resident of
Village- Badha Nutan P.S. Marhowrah District Saran at Chapra.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

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Appearance :

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

For the Respondent/s : Mr. Binay Krishna, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 18-12-2018

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 01.10.2018 passed by the learned Additional Sessions Judge-I, Saran at Chapra, in A.B.P. No.3474 of 2018, arising out of SC/ST Police Station Case No.43 of 2015, registered under Sections 147/148/149/341/323/325/379/504/34 of the Indian Penal Code and Section 3(i) (ii)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The allegation is general and omnibus in the FIR.

Submission is that after investigation the police found the allegation untrue. Thereafter, on protest petition



cognizance had been taken. No witness has supported the prosecution allegation. The appellant has 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 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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