

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1126 of 2018

Arising Out of PS.Case No. -63 Year- 2016 Thana -BADHAILA District- SASARAM (ROHTAS)

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1. Brajesh Tiwari, S/o Bashishth Tiwari, Resident of Village-Panchpokhari, P.S.-
Baghaila, District-Rohtas.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Ajay Kumar Tiwari, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 10-05-2018

Heard learned counsel for the parties.

This is an appeal under Section 14(A)(i) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer for anticipatory bail by the learned Additional Sessions Judge I-cum- Special Judge, Rohtas at Sasaram, in Baghaila Police Station Case No.63 of 2016, registered under Sections 504/429/506 of the Indian Penal Code and Sections 3(i) (x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Allegation of commission of abuse and assault is there against the appellant.

Submission is that the occurrence took place on



10.10.2016 and the FIR was lodged on 06.12.2016 without any explanation for the same, which creates doubt on the prosecution.

Considering the aforesaid 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 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	
CAV DATE	NA
Uploading Date	
Transmission Date	

