

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No. 2838 of 2018

Arising Out of PS.Case No. -42 Year- 2017 Thana -KACHHAWA District- SASARAM (ROHTAS)

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1. Janardan Singh, Son of Late Deorajit Singh, Resident of Village - Kachhawan,
Police Station - Kachhawan, District - Rohtas.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr.

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 12-09-2018

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 25.05.2018 in Registered Case No. 254 of 2017 passed by the learned 1st Additional Sessions Judge, Rohtas at Sasaram in connection with Kachhwan P.S. Case No. 42 of 2017 registered under Sections 147, 148, 149, 341, 323, 504, 324, 307, 506, 379 of the Indian Penal Code as well as Sections (i)(g)(r)(s) of the SC/ST Act.

The informant and his son were watching a T.V. serial in the market. For occupying seat to watch the serial by the appellant and others also, an occurrence of abuse and assault was committed.

Submission is that the nature of the allegation would reveal



that the appellant was not intending to humiliate a member of the scheduled caste. There is counter case also.

Learned Special Public Prosecutor opposed the prayer for bail.

Considering the aforesaid fact, 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/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the appellant as well as condition that both the bailors shall be resident of within the territorial jurisdiction of the learned court below.

Accordingly, the impugned order is set aside and this appeal stands allowed.

(Birendra Kumar, J)

Kundan/-

AFR/NAFR	N.A.
CAV DATE	N.A.
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