

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.2189 of 2018

Arising Out of PS.Case No. -210 Year- 2016 Thana -KUCHAIKOTE District- GOPALGANJ

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1. Anurag Singh @ Anurag Kumar Singh, Son of Suresh Singh, Resident of
Ramnath Sharma Marg, V.M. Field, P.S. - Gopalganj, District - Gopalganj.

.... 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: 31-07-2018

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 regular bail vide order dated 08.06.2018 in Kuchaikote P.S. Case No. 210 of 2016 passed by the learned 1st Additional Sessions Judge-cum-Special Judge S.C./S.T. (POA, Act), Gopalganj, in connection with the aforesaid case registered under Sections 302/34 of the Indian Penal Code as well as Section 3(2)(v) of the SC/ST Act.

The appellant was allowed anticipatory bail in this case by a Coordinate Bench of this Court vide order dated 12.05.2017 passed in Cr. Misc. Case No. 16661 of 2017 for the reason that the appellant is not named in FIR whereas others are named in the FIR. The appellant could not surrender in pursuance of that order, hence, further extension of time



was refused vide order dated 26.07.2017 passed in Cr. Misc. No. 35117 of 2017 (Annexure-2) and, as such, the appellant is in custody.

Submission is that there is no material against the appellant to detain him in custody.

Learned counsel for the informant opposed the prayer of bail on the ground that the trial is at the fag end and the appellant has got criminal antecedent.

Considering the aforesaid fact that there is no material against the appellant, let the appellant, above named, 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 learned Court below where the case is pending in connection with the aforesaid case, subject to the 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 this appeal stands allowed.

(Birendra Kumar, J)

Kundan/-

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