

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.3022 of 2018

Arising Out of PS.Case No. -228 Year- 2016 Thana -PARSABAZAR District- PATNA

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1. Upkar Pritam Kumar Santoshi. Son of Late Lala Prasad Singh, Resident of Ramesh Colony, Kurthaul, P.S.- Parsa Bazar, District- Patna.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Ramakant Sharma, Sr.Adv

: Mr. Vijay Anand, Adv

For the Respondent/s : Mr. Sadanand Paswan, SPP

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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 against the refusal of prayer for anticipatory bail by order dated 31.07.2018 in A.B.P. No.5078 of 2018 passed by the learned Special Judge (S.C./S.T. Act)- Addl. Sessions Judge-Vth, Patna, in Parsa Bazar Police Station Case No.228 of 2016 registered under Sections 3(i) b/3(1)(r)/3(1)(s)/3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

It appears that a coordinate Bench of this Court has granted anticipatory bail to co-accused Manju Rani, considering



the fact that no part of the occurrence took place in public view; rather occurrence took place inside the house and the occurrence took place for land dispute vide Annexure -8.

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 anticipatory bail on furnishing bail bond of Rs.20,000 (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 conditions as laid down under Section 438(2) of the Code of Criminal Procedure and both bailors shall be resident of territorial jurisdiction of the learned court below and further 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)

Nitesh/-

AFR/NAFR	NAFR
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