

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.3214 of 2018

Arising Out of PS.Case No. -217 Year- 2018 Thana -BAGHA District-
WESTCHAMPARAN(BETTIAH)

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1. Aadarsh Kumar @ Aadarsh son of Sri Shatish Kumar Dubey, resident of
Mohalla- Pathkholi, Ward No. 3, Patkholi, P.S. Bagaha, District- West
Champaran (Bettiah).

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Karuna Kant Jha, Advocate

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 bail vide order dated 31.07.2018
passed by the learned Additional Sessions Judge 1st -cum-Special
Judge, West Champaran, Bettiah, in B.P. No. 2271 of 2018, arising
out of Bagaha (Patkhoul) Police Station Case No.217 of 2018,
registered under Sections 341/323/307/379/427/506 of the Indian
Penal Code and Section 3(i)(r) of the Scheduled Castes and Scheduled
Tribes (Prevention of Atrocities) Act, 1989.

There is general and omnibus allegation against the



appellant and others to have assaulted to the children of the school of the informant for the reason that the appellant and others were asking not to play in the field. Further allegation is commission of theft of cash also.

There is case and counter case also, which would reveal that appellant-side also sustained injury during the course of assault. The injury report produced would reveal that simple injuries were sustained by the injured of the informant side.

Submission of the learned counsel for the appellant is that the school administration is in the habit of parking their bus in the field which was meant for playing football by the appellant and others as the appellant and others are member of Bihar Football Association.

Learned counsel for the informant opposed the prayer for bail.

Considering the facts of the case, let the appellant, above named, be released on bail on furnishing bail bond 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, with 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 is allowed.

(Birendra Kumar, J)

Mkr./-

AFR/NAFR	NAFR
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