

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3323 of 2018

Arising Out of PS. Case No.-281 Year-2018 Thana- SONEPUR District- Saran

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Birju Singh @ Brij Mohan Singh, S/o Balram Singh, Resident of Village-
Baijalpur Fakir, P.S.- Sonepur, District- Saran.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Kaushal Kishor, Advocate
For the Respondent/s : Mr. Binay Krishna, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 07-12-2018

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 vide order dated 21.07.2018 passed by the learned 1st Additional Sessions Judge, Saran at Chapra, in A.B.P. No.2163 of 2018, arising out of Sonepur Police Station Case No.281 of 2018, registered under Sections 147/149/341/323/504/506/354/435 of the Indian Penal Code and Sections 3(i)(xi)(r)(s)/3(2)(iii) of the Scheduled Castes and Scheduled Tribes



(Prevention of Atrocities) Act, 1989.

For trivial dispute there is general and omnibus allegation against the named accused of commission of abuse and assault against the informant and others. Specific allegation is against co-accused Nitish Kumar of abuse by taking case name. The allegation of assault is not corroborated by the medical opinion in injury report.

Learned Special Public Prosecutor for the State opposed the prayer for bail.

Considering the general and omnibus nature of allegation, 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	NAFR
CAV DATE	NA
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