

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No. 3563 of 2018

Arising Out of PS.Case No. -45 Year- 2018 Thana -PARSA District- SARAN

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1. Lal Babu Mian, Son of Abbas Mian @ Md. Abbas Mian, Resident of Village -
Harpur Parsa, P.S. - Parsa, District - Saran.

.... 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: 01-10-2018

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 01.08.2018 in G.R. No. 2193 of 2018 arising out of Parsa P.S. Case No. 45 of 2018 passed by the learned Special Judge, S.C./S.T. (POA) Act, Saran at Chapra in connection with the aforesaid case registered under Sections 302, 120B/34 of the Indian Penal Code, Section 27 of the Arms Act as well as Sections 3(2)(vr) of the SC/ST Act.

According to FIR, murder of the husband of the informant was committed in her presence by some unknown male persons. Allegation against the appellant is that he had threatened in the past. Hence, the occurrence might be result of the conspiracy of the



appellant. The appellant is in custody since 20.04.2018.

Learned Special Public Prosecutor opposed the prayer for bail.

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 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 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.
Uploading Date	03.10.2018
Transmission Date	03.10.2018

