

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1265 of 2018

Arising Out of PS.Case No. -375 Year- 2017 Thana -CHHATAPUR District- SUPAUL

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1. Deepak Kumar Yadav @ Deepak Yadav, Son of Bishaundeo Prasad Yadav
Resident of Village - Chakla, Police Station - Chhatapur, District - Supaul.

.... 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: 14-05-2018

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 by the learned 1st Additional Sessions Judge, Supaul in Chhatapur P.S. Case No. 375 of 2017 registered under Sections 341, 323, 379, 504, 506/34 of the Indian Penal Code as well as Sections 3(1)(r) of the SC/ST Act.

According to FIR, the appellant and others intercepted the informant on the way and appellant allegedly abused taking caste name of the informant.

Submission is that there is counter case also vide Annexure-2 wherein father of the appellant alleges that the informant



of this case and others were cutting bamboos of the appellant and when father of the appellant protested, the named accused others assaulted to the father of the informant.

Learned Special Public Prosecutor has opposed the prayer for bail.

Considering the background and 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 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 and 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.
Uploading Date	
Transmission Date	

