

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1201 of 2018

Arising Out of PS.Case No. -186 Year- 2017 Thana -JANDAHA District- VAISHALI(HAJIPUR)

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1. Guddu Kumar, aged about 30 years, Son of Sri Ravindra Ram, Resident of Village- Sohagi, P.S. Gaurichak, District- Patna.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Ashok Kumar, Advocate

For the Respondent/s : Smt. Usha Kumari No.1, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 02-07-2018

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 18.01.2018 passed by the learned Additional Sessions Judge, 1st – cum-Special Judge (S.C./S.T. Act), Vaishali at Hajipur, in A.B.P. No.10 of 2018, arising out of Jandaha Police Station Case No.186 of 2017 registered under Sections 341/342/323/324/ 307/ 354(a)(i) /354(b)/379/504/34 of the Indian Penal Code and Sections 3(1)(c)(r)(w) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Allegation against the appellant and others is that they were in inebriated condition passed sarcastic remark against the



informant. When her husband protested they assaulted. Allegation is that the accused had snatched money.

Submission is that the appellant is the owner of the auto rickshaw. He gave his vehicle to co-accused on rent basis.

Considering the fact that there is no substantial material against the appellant, 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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