

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No. 341 of 2018

Arising Out of PS.Case No. -137 Year- 2017 Thana -DARBHANGA SADAR District-
DARBHANGA

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1. Md. Reyaz S/o Late Md. Allauddin, R/o Village- Naya Tola Bhalari, P.S.-
Mabbi, O.P.- Sadar, District- Darbhanga.

.... 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: 24-04-2018

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-cum-Special Judge SC/ST (POA) Act, Darbhanga in Sadar P.S. Case No. 137 of 2017 registered under Sections 420, 406, 467, 471, 386, 387, 120B of the Indian Penal Code as well as Sections 3(i)(s)/3(i)(r)/3(i)(w) of the SC/ST Act.

The background of allegation of commission of abuse and assault by taking caste name of the informant is that informant had paid consideration money for purchase of the agreed land from the appellants and others and the sale deed was not being executed.

Learned Special Public Prosecutor has opposed the



prayer for bail.

Considering the background of the allegation it is evident that the appellant was not intending to humiliate a member of the Scheduled Caste, 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.
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