

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.842 of 2018

Arising Out of PS. Case No.-163 Year-2014 Thana- KONCH District- Jehanabad

Punjabi @ Punjabi Singh @ Chandan Kumar, S/o Madhu Sudan
Singh R/o village Ihiyapur, P.S. Konch, Dist- Gaya

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Shivendra Prasad
For the Respondent/s	:	Mr. Binay Krishna

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 23-05-2018 Heard learned counsel for the appellant and learned
Special P.P. for the State.

This is an appeal under Section 14 A(2) of the Schedule Caste and Schedule Tribe (Prevention of Atrocities) Act, 1989 against refusal of the prayer for anticipatory bail in connection with Konch P.S. case no. 163 of 2014 registered under Sections 341, 323, 342 and 504/34 of the Indian Penal Code and Section 3(1)(X) of the SC/ST (Prevention of Atrocities) Act.

Learned counsel for the appellant has submitted that the appellant has got no criminal antecedents. He has further



submitted that there is no specific allegation against this appellant of assaulting the informant.

In the written report, there is allegation against this appellant that he abused the informant and told the accused persons to assault him.

Considering the aforesaid facts, let the appellant, above named, in the event of his arrest/surrender within six weeks from today in connection with Konch P. S. case no. 163/14 Tr. no. 76 of 2017, he shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive special court/judge Gaya subject to the conditions as laid down under Section 438(2) Cr. P. C. with further conditions:(1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) appellant shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the appellant and (3) if appellant tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the appellant.



Accordingly, the impugned order is set aside and the
appeal stands allowed.

(Sanjay Priya, J)

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