

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1555 of 2018

Arising Out of PS.Case No. -88 Year- 2018 Thana -KAHALGAON District- BHAGALPUR

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1. Mithilesh Kumar Chaudhary, son of Late Bharat Lal Chaudhary, resident of Mohalla- Patel Nagar, Purab Tola, P.S. Kahalgaon, District Bhagalpur.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

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

For the Respondent/s : Mr. Sadanand Paswan, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 17-07-2018

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 16.04.2018 passed by the learned Special Judge (S.C./S.T. Act), Bhagalpur, in A.B.P. No.464 of 2018, arising out of Kahalgaon Police Station Case No.88 of 2018, registered under Sections 341/342/323/504/506/353 of the Indian Penal Code and Sections 3(r) (s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The appellant was a teacher in the same school where the informant was In-charge Headmaster. Allegation is of commission of



abuse and assault for some dispute relating to unlawful withdrawal of money of the school schemes. The parties have entered into a compromise.

Considering the entire facts aforesaid, 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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