

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1442 of 2018

Arising Out of PS.Case No. -18 Year- 2017 Thana -SC/ST BAGHA District- WESTCHAMPARAN
(BETTIAH)

- =====
1. Laxman Ram,
 2. Chandrashekhar Ram, Both Sons of Ramkeshwar Ram @ Ram Kishun Ram,
R/o Madanpur, P.S.- Naurangia, Distt.- West Champaran.

.... 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: 15-05-2018

Appellant no. 2 Chandrashekhar Ram has already been arrested in this case, hence, his prayer for anticipatory bail has become infructuous now. Hence, his appeal stands dismissed as infructuous.

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, Bettiah, West Champaran in Bagaha SC/ST P.S. Case No. 18 of 2017 registered under Sections 341, 323, 324, 379, 504/34 of the Indian Penal Code as well as Sections 3(i)(r) of the SC/ST Act.

Appellant no. 1 is a member of the scheduled caste. Allegation against the appellant no. 1 Laxman Ram is of commission of theft whereas others assaulted and abused the informant by taking caste



name.

Learned Special Public Prosecutor has opposed the prayer for bail.

Hence, let the appellant no. 1 Laxman Ram, 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 no. 1 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 no. 1.

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	

