

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.2370 of 2018

Arising Out of PS.Case No. -43 Year- 2018 Thana -KOPA District- SARAN

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1. Rajeshwar Singh S/o Late Ramashray Singh @ Late Laxman Singh, R/o Vill.-
Kopa Dachin Tola, P.S.- Kopa, District- Saran.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Prabhakar Singh, Adv

For the Respondent/s : Mr. Binay Krishna, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 07-09-2018

Heard learned counsel for the parties.

This is an appeal under Sections 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, against refusal of the prayer for anticipatory bail by order dated 07.06.2018 in A.B.P. No.1562 of 2018 passed by the learned Additional Sessions Judge-I-cum-Special Judge, Saran at Chapra in connection with Kopa P.S.Case No. 43 of 2018 registered under Sections 147, 148, 149, 341, 323, 324, 307, 379, 354(B), 448, 452, 436 of the Indian Penal Code as well as under Sections 3(i)(r)(s)(w)/(2)(iv) of the Scheduled Castes and Scheduled Tribes Act and later on Section 302 of the Indian Penal Code and Section 3(2)(v) of SC/ST Act was added.

Though in the FIR, five persons are named an accused, however, specific allegation is there against co-accused-Jai Prakash Singh of commission of assault with Farsa,



causing injury to the informant as well as to her mother-in-law, as a result whereof, mother-in-law of the informant died subsequently.

Considering the fact that no overt-act is alleged against the appellant and statement of the appellant on oath that he has got no criminal antecedent, 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 anticipatory bail on furnishing bail bond of Rs.20,000 (Twenty Thousand) with two sureties of the like amount each to the satisfaction of 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 and both bailors shall be resident of territorial jurisdiction of the learned court below and further 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 this appeal stands allowed.

(Birendra Kumar, J)

Nitesh/-

AFR/NAFR	NAFR
CAV DATE	NA
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