

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.421 of 2018

Arising Out of PS.Case No. -64 Year- 2017 Thana -ROHTAS District- SASARAM (ROHTAS)

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1. Vijaymal Singh, Son of Late Karamdeo Singh, Resident of Village-Samhuta,
P.S. Rohtas, District-Rohtas at Sasaram.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Dharmendra Kumar Singh

For the Respondent/s : Mr. Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 28-06-2018

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 vide order dated 29.11.2017 passed in A.B.P No. 822 of 2017 by the learned 1st Additional Sessions Judge-cum-Special Judge, Rohtas at Sasaram in connection with Rohtas P.S. Case No. 64 of 2017 registered under Sections 341, 504, 427 of the Indian Penal Code as well as Sections 3(i)(r)(s) of the SC/ST Act.

Allegation is that the appellant abused and assaulted to the informant who is not a member of the scheduled caste. However, the local Mukhiya, who was also along with the informant, was also allegedly abused by the appellants.



Submission is that the parties have entered into the compromise. On notice the informant has not appeared. There is no reason to abuse to the local Mukhiya.

Learned Special Public Prosecutor has opposed the prayer for bail.

Considering the aforesaid fact, 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/production 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/Sanjeev

AFR/NAFR	N.A.
CAV DATE	N.A.
Uploading Date	
Transmission Date	

