

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.2798 of 2018

Arising Out of PS.Case No. -430 Year- 2017 Thana -RAJAUN District- BANKA

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1. Surendra Prasad Singh @ Surendra Singh S/o Late Medi Prasad Singh, R/o Vill.-
Mahgama, P.S.- Rajoun, District- Banka.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Brij Nandan Prasad, Adv

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 05-09-2018

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 26.06.2018 in A.B.P. No.765 of 2018 passed by the learned Additional Sessions Judge-I, Banka in connection with Rajoun P.S.Case No. 430 of 2017(corresponding to G.R.No.2751of 2017) registered under Sections 341, 323, 354(B), 504, 506 of the Indian Penal Code as well as under Sections 3(1)(x)of the Scheduled Castes and Scheduled Tribes Act.

The FIR would reveal that there is dispute for claim on the land between the two neighbours, the informant and the appellant and for that reason allegation is of commission of abuse and assault. Appellant has stated on oath that he has got



no criminal antecedent.

Considering the nature of allegation of the offences of the Indian Penal Code which areailable 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
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