

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.192 of 2018

Arising Out of PS.Case No. -99 Year- 2016 Thana -SHEKHPURA District- SEKHPURA

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1. Saatosh Prasad @ Santosh Kumar, Son of Late Kishori Prasad, resident of
Village - Devale, P.S. - Shekhpura, District - Shekhpura

.... 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: 02-08-2018

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 07.10.2017 in A.B.P. No. 447 of 2017 arising out of SC/ST Case No. 178 of 2017 passed by the learned 1st Additional Sessions Judge-cum-Special Judge S.C./S.T. (POA) Act, Sheikhpura in connection with Sheikhpura P.S. Case No. 99 of 2016 registered under Sections 147, 149, 341, 323, 354, 307, 457, 379, 506 of the Indian Penal Code as well as Sections 3(1)(x, xi) of the SC/ST Act.

This appeal is barred by 4 days.

The delay is explained in I.A. No. 2134 of 2018, hence, the delay is condoned.

Accordingly, I.A. aforesaid stands allowed.

There is case and counter case lodged on the same day for



occurrence of assault and abuse committed by the parties.

Learned Special Public Prosecutor opposed the prayer for bail.

Considering the background and nature of allegation as well as case and counter case, 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 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/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the appellant as well as condition that both the bailors shall be resident of within the territorial jurisdiction of the learned court below.

Accordingly, the impugned order is set aside and this appeal stands allowed.

(Birendra Kumar, J)

Kundan/-

AFR/NAFR	N.A.
CAV DATE	N.A.
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