

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1751 of 2018

Arising Out of PS.Case No. -7 Year- 2018 Thana -SC/ST District- JEHANABAD

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1. Rajnish Kumar @ Shashi Kant Kumar, Son of Akhila Singh @ Akhilanand Singh, Resident of Village- Chotki Ahiyapur, Police Station- Arwal, District- Arwal.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Praveen Kumar, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 07-08-2018

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 against the refusal of prayer for anticipatory bail vide order dated 26.04.2018 passed by the learned Additional Sessions Judge-I, Jehanabad, in A.B.P. No.507 of 2018, arising out of Arwal SC/ST Police Station Case No.7 of 2018, registered under Section 341/323/354/504/506 of the Indian Penal Code and Sections 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The appellant is a constable and stated on oath that he has got no criminal antecedent. Allegation is of commission of assault to



the informant as well as to his wife for the reason that the informant and others were cleaning Ward No.1 area and the appellant was insisting for cleaning his own area for marriage in the family of the appellant.

Considering the nature of allegation and the fact that the appellant 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 bail on furnishing bail bonds of Rs.20,000/- (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.

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

(Birendra Kumar, J)

Mkr./-

AFR/NAFR	NAFR
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