

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Appeal (SJ) No.2043 of 2018**

Arising Out of PS.Case No. -388 Year- 2017 Thana -PIRBAHOR District- PATNA

=====

1. Anil Kumar Singh, Son of Bishnu Deo Singh, R/o Village + P.O. - Pokharna,  
P.S. - Kajra, District - Lakhisarai.

.... .... 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: 30-08-2018**

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 18.05.2018 in A.B.P. No. 3279 of 2018 passed by the learned 5<sup>th</sup> Additional Sessions Judge-cum-Special Judge S.C./S.T. (POA) Act, Patna in connection with Pirbahore P.S. Case No. 388 of 2017 registered under Sections 341, 342, 347, 419, 465, 468, 504, 506 of the Indian Penal Code as well as Sections 3(1)(r) of the SC/ST Act.

For the occurrence dated 17.01.2011, the FIR has been lodged on 29.07.2017. Allegation is that on the date of occurrence, the appellant had taken signature of the informant on some blank sheets of paper and thereafter took him to the Registry Office and got a power of attorney executed. The informant has suspicion that the said power of attorney may be misused by the appellant. A civil suit is going on between



the parties.

Learned Special Public Prosecutor opposed the prayer for bail.

Considering the entire facts aforesaid, especially, the nature of allegation and information to the police after such inordinate delay, 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/-

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| AFR/NAFR          | N.A.       |
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