

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2524 of 2018

Arising Out of PS. Case No.-452 Year-2017 Thana- MOTIHARI MUFASIL District- East
Champaran

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1. Deepak Singh @ Deepak Kumar, S/o Saryu Singh @ Saryug Singh @ Sarju Singh @ Saryug Prasad Singh,
 2. Saryu Singh @ Saryug Singh @ Sarju Singh @ Saryug Prasad Singh, S/o Late Amar Singh, Both are R/o Vill.- Basatpur, P.S.- Mufassil, District- East Champaran.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Sunil Kumar No.III,Adv
For the Respondent/s : Mr. Sri Sadanand Paswan,SPP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 27-11-2018

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 30.01.2018 in A.B.P. No.219 of 2018 arising out of Mufassil P.S.Case No.452 of 2017 passed by the learned 1st Addl. Sessions Judge-cum-Special Judge SC/ST Act, East Champaran, Motihari registered under Sections 147, 148, 149, 323, 324, 354(B), 307, 504 and 506 of the Indian Penal Code and Sections 3(i)(b) (r)(s)of the Scheduled Castes and Scheduled Tribes Act.



There is specific allegation that for trivial dispute appellant-Deepak Singh @ Deepak Kumar caused injury with Farsa at the head of the husband of the informant. The Doctor has found sharp cut injury at the head of the husband of the informant.

Considering the fact that appellant-Deepak Singh @ Deepak Kumar had knowledge that his act might cause death, I am not inclined to enlarge him on anticipatory bail. Prayer is refused.

There is no such allegation against appellant Saryu Singh @ Saryug Singh @ Sarju Singh @ Saryug Prasad Singh.

Submission is that since his family members have been falsely implicated.

In view of the aforesaid fact, let the appellant No.2, 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 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, this appeal is partly allowed and partly dismissed.

(Birendra Kumar, J)

Nitesh/-

AFR/NAFR	NAFR
CAV DATE	NA
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