

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.2621 of 2018

Arising Out of PS.Case No. -35 Year- 2013 Thana -RIGA District- SITAMARHI

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Pawan Kumar Son of Kishun Sah, resident of Village- Balakipur, P.S.- Rega,
District- Sitamarhi.

.... Appellant/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Sheo Kumar Prasad

For the Respondent/s : Mrs. Usha Kumari No.-1, S.P.P. 247

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 05-10-2018

Appellant is permitted to correct the case number referred
in paragraph-3 of the memo of appeal in course of the day.

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 06.06.2018 in ABP No. 980 of
2018/208 of 2018 passed by the learned 1st Additional Sessions Judge-
cum-Special Judge S.C./S.T. (POA) Act, Sitamarhi in connection with
Riga P.S. Case No. 35 of 2013 registered under Sections 341, 323, 324,
504, 307/34 of the Indian Penal Code as well as Sections 3(i)(x) of the
SC/ST Act.

For trivial dispute, there is general and omnibus allegation
of commission of assault. Specific allegation is against co-accused



Kishun Sah to have caused injury with *Gandasa* at the nose of the husband of the informant.

Learned Special Public Prosecutor opposed the prayer for bail.

Considering general and omnibus nature of the allegation, 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/Rajan

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