

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.3182 of 2018

Arising Out of PS.Case No. -30 Year- 2018 Thana -MAHARAJGANJ District- SIWAN

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Prakash Yadav @ Om Prakash Yadav, Son of Ramnath Yadav, resident of Village
- Jagdishpur, P.S. Maharajganj, District - Siwan.

.... Appellant/s

Versus

The State of Bihar.

.... Respondent/s

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Appearance :

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

For the Respondent/s : Mr. Sadanand Paswan, S.P.P.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 06-10-2018

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 22.05.2018 in ABP No. 684 of 2018/639 of 2018 passed by the learned 1st Additional Sessions Judge-cum-Special Judge S.C./S.T. (POA) Act, Siwan in connection with Maharajganj P.S. Case No. 30 of 2018 registered under Sections 147, 341, 323, 353, 504 of the Indian Penal Code as well as Sections 3(r)(s) of the SC/ST Act.

There is general and omnibus allegation of commission of abuse and assault against the informant who is a policeman.

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.
Uploading Date	09.10.2018
Transmission Date	09.10.2018

