

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3350 of 2018

Arising Out of PS. Case No.-51 Year-2018 Thana- MARANCHI District- Patna

Vikash Singh @ Vikesh Kumar, Son of Sri Ratan Singh @ Ram Ratan Prasad
Singh, Resident of Village- Pachmahla, P.S.- Maranchi, District- Patna.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 04-12-2018

Heard learned counsel for the parties.

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This is an appeal under Section 14(A)(2) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989, against the refusal of prayer for anticipatory bail vide order dated 04.08.2018 passed by the learned 4th Additional Sessions Judge-cum-Special Judge (SC/ST Act), Patna, in A.B.P. No.5431 of 2018, arising out of Maranchi Police Station Case No.51 of 2018, registered under Sections 452/341/323/326/307/384/504/506/34 of the Indian Penal Code, Sections 25(1-b)a/26/27/35 of the Arms Act and Section 3(i)(r) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The allegation of abuse and assault is not specific



against the appellant nor the appellant has got no criminal antecedent. Hence, the case of the appellant is distinguishable from co-accused Kanhaiya Kumar Singh.

Accordingly, 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
CAV DATE	NA
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