

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3747 of 2018

Arising Out of PS. Case No.-138 Year-2018 Thana- KURTHA District- Jehanabad

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Lala Prasad @ Budhu Singh @ Budhu, S/o Kamal Prasad Singh, Resident of
Village - Darheta, P.S. Kurtha, Distt. - Arwal.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Onkar Kumar

For the Respondent/s : Smt. Usha Kumari No-1

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 13-12-2018

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 07.09.2018 in A.B.P. No. 1392 of 2018 passed by the learned 1st Additional Sessions Judge-cum-Special Judge S.C./S.T. (POA) Act, Jehanabad in connection with Kurtha P.S. Case No. 138 of 2018 registered under Section 304 of the Indian Penal Code as well as Sections 3(2)(v)(a) of the SC/ST Act.

Father of the informant died of electrocution while working in the field of the appellant. Allegation is that he was working thereat at the instruction of this appellant.

The nature of allegation does not disclose a



criminal liability for the purpose of consideration of this prayer for anticipatory bail.

Hence, 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 anticipatory 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 the territorial jurisdiction of the learned court below.

Accordingly, the impugned order is set aside and this appeal stands allowed.

(Birendra Kumar, J)

Kundan/-

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