

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.4252 of 2018

Arising Out of PS. Case No.-18 Year-2018 Thana- CHAND District- Bhabhua (Kaimur)

Surajbhan Koeiry Son of late Gunga Koeiry Resident of Village- Saukhara,
P.S. Chand, District- Kaimur at Bhabhua. Appellant/s

Versus

The State of Bihar Respondent/s

Appearance :

For the Appellant/s : Mr.Rajani Kant Pandey, Adv

For the Respondent/s : Mr.Binay Krishna,SPP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date : 21-12-2018

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 15.09.2018 in A.B.P. No.1305 of 2018 arising out of Chand P.S.Case No.18 of 2018 passed by the learned Additional Sessions Judge-1st-cum-Special Judge, SC/ST Kaimur at Bhabhua registered under Sections 147, 148, 149, 307, 504, 506, 34, 323 of the Indian Penal Code as well as under Sections 3(1)(r)(w) of the Scheduled Castes and Scheduled Tribes Act.

For dispute relating to way to go out, the two neighbours allegedly quarreled and allegation against the appellant is general and omnibus of commission of abuse and assault by taking caste name.

Submission of learned counsel for the appellant is



that the dispute has been resolved and the parties have entered into a compromise.

Learned Special Public Prosecutor opposed the prayer for anticipatory bail.

Considering the aforesaid fact, 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 (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, the impugned order is set aside and this appeal stands allowed.

(Birendra Kumar, J)

Nitesh/-

AFR/NAFR	NAFR
CAV DATE	NA
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