

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3540 of 2017

Arising Out of PS.Case No. -235 Year- 2017 Thana -DURGAWATI District- BHABHUA
(KAIMUR)

=====

1. Ravi Kumar Singh S/o Ramji Singh Resident of village- Darauli, P.S.-
Durgawati, District- Kaimur

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Jai Prakash Singh

For the Respondent/s : Mr. Sri Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 09-01-2018

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 by the learned Additional Sessions Judge-1st, Kaimur at Bhabhua in Durgawati P.S. Case No. 235 of 2017 registered under Sections 341, 323, 337, 338, 279, 307, 353, 420, 427, 120B of the Indian Penal Code as well as Sections 3(1)(r) of the SC/ST Act.

The informant was the District Transport Officer and was a member of the Scheduled Castes. When the informant along with the police team was checking the vehicles, one of the drivers of the vehicle, allegedly, abused him by taking caste name. Allegation against the appellant is that he was making video on his



mobile phone of the entire episode going on thereat.

Since there is no allegation of any humiliation to the member of the Scheduled Castes against the appellant, hence, bar under Section 18 of the SC/ST Act is not attracted and considering the other allegation, in my view, the appellant deserves anticipatory bail.

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 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 and trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the appellant.

Accordingly, this appeal stands allowed.

(Birendra Kumar, J)

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