

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.79 of 2018

Arising Out of PS.Case No. -1521 Year- 2017 Thana -SASARAM NAGAR District- SASARAM
(ROHTAS)

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1. Somaroo Bind @ Sanjay Prasad Son of Late Vishwanath Bind Resident
of Muhalla - Dalelganj, Police Station-Sasaram (Town), District - Rohtas at
Sasaram

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Raghunandan Kumar Singh

For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 11-01-2018

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 1st Additional
Sessions Judge, Rohtas at Sasarma in Sasaram Town P.S. Case
No. 1521 of 2017 registered under Sections 341, 323, 354, 379,
447, 504/34 of the Indian Penal Code as well as Section 3(i)(r)(s)
of the SC/ST Act.

There is no allegation in the FIR of commission
of any offence under the provisions of the SC/ST Act.

Hence, considering the allegation of the Indian
Penal Code, in my view, the appellant deserves 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 bail on furnishing bail bonds 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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