

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.216 of 2018

Arising Out of PS.Case No. -1 Year- 2017 Thana -CHANDMUNDI District- JAMUI

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1. Tinku Goswami, son of Huro Goswami, resident of Village - Yogidih,
P.S. Chandramandih, District- Jamui.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Pankaj Kumar Sinha

For the Respondent/s : Mr. Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 12-02-2018

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-cum-Special Judge, Jamui in Chandramandih P.S. Case No. 01 of 2017 registered under Sections 341, 323, 324, 325, 307, 504/34 of the Indian Penal Code as well as Sections 3(i)(x) of the SC/ST Act.

The allegation against the appellant and other eight named accused is commission of assault and abuse. There is no specific allegation against anyone including the appellant nor there is any specific averment as to what name of the caste was taken by the appellant nor the FIR would reveal that the occurrence took



place in public view. In the circumstance, 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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