

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.2288 of 2018

Arising Out of PS.Case No. -2 Year- 2018 Thana -MAHILA P.S. District- NAWADA

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1. Rahul Kumar, Son of Sanjay Prasad, resident of Village - Sadanandpur, Police Station - Baliya, District - Begusarai, presently posted as Indra Awas Lekha Sahayak, Sadar, Block - Nawada, P.S. & District - Nawada.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr.

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 09-08-2018

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 07.06.2018 in A.B.P. No. 735 of 2018 passed by the learned 1st Additional Sessions Judge-cum-Special Judge S.C./S.T. (POA) Act, Nawada in connection with Mahila (Nawada) P.S. Case No. 02 of 2018 registered under Sections 341, 323, 504, 506, 427 of the Indian Penal Code as well as Sections 3(i)(r)(s) of the SC/ST Act.

Allegation against the appellant is that he abused to the informant by taking caste name and committed assault.

Submission is that the appellant was posted as Account Assistant in the Indira Awas Scheme, branch of the Block Office and for trivial dispute regarding the status of Indira Awas fund for the informant, false case has been lodged. The appellant has got criminal



antecedent.

Learned counsel for the informant opposed the prayer for 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 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 within 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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