

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1495 of 2018

Arising Out of PS.Case No. -18 Year- 2017 Thana -SURYAPURA District- SASARAM (ROHTAS)

1. Jitendra Singh, Son of Late Ramjug Rai R/o Village Bharkuria Kala, P.S.-
Surajpura, District- Rohtas. Appellant/s

Versus

1. The State of Bihar. Respondent/s

Appearance :

For the Appellant/s : Mr.Ajit Kumar, Adv

For the Respondent/s : Mr. Sadanand Paswan, SPP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 10-07-2018

Heard learned counsel for the parties.

This appeal has been preferred 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 12.03.2018 by the learned Additional Sessions Judge-1, Rohtas, in connection with Surajpura P.S.Case No. 18 of 2017 registered under Sections 341,323,504,34 of the Indian Penal Code as well as under Sections 3(1)(r)(s) of the Scheduled Castes and Scheduled Tribes Act.

For trivial dispute relating to an occurrence of assault between the children of two families, the present FIR was lodged.

This fact has come in the case diary.

According to FIR, the appellant and his son allegedly



assaulted to the informant and abused him by taking caste name.

Submission of the learned counsel for the appellant is that two cases were lodged by the informant side, one by the informant and another i.e. Surajpura P.S.Case No.19 of 2017 by the father of the informant with general and omnibus allegation of abuse and assault. One case was lodged by the appellant side also. The Doctor has found simple head injury. Further submission is that in Surajpura P.S.Case No.19 of 2017, the appellant and others have already been allowed anticipatory bail by this Court.

Considering the entire facts aforesaid, 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 both bailors shall be resident of territorial jurisdiction of the learned court below 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
Uploading Date	12.07.2018
Transmission Date	12.07.2018

