

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1451 of 2018

Arising Out of PS.Case No. -862 Year- 2016 Thana -AURANGABAD COMPLAINT CASE
District- AURANGABAD

- =====
1. Amarendra Singh @ Aditya Ranjan S/o Late Faguni Singh, R/o Vill.- Deoriya,
P.O.- Narendra Khap, P.S.- Kutumba, District- Aurangabad.

.... Appellant/s

Versus

1. The State of Bihar.
2. Shanti Devi W/o Ram Pravesh Bishwa Karma, R/o Deoriya, P.O.- Narendra
Khap, P.S.- Kutumba, District- Aurangabad (Bihar).

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Ranjit Kumar, Advocate
For the Respondent/s : Mr. Sadanand Paswan, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 16-07-2018

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
against the refusal of prayer for anticipatory bail vide order dated
06.04.2018 passed by the learned Special Judge (S.C./S.T. Act),
Aurangabad, in Complaint Case No.862 of 2016/T.R. No.8 of 2017,
registered under Sections 341/323/379/354 of the Indian Penal Code
and Section 3 of the Scheduled Castes and Scheduled Tribes
(Prevention of Atrocities) Act, 1989.

The appellant is neighbour of the informant. For the
occurrence of 03.10.2016 complaint petition was filed on 03.11.2016



with allegation as per the statement of the complainant on oath that the appellant and others abused and assaulted to the complainant and committed theft also.

Learned counsel for the appellant submits that the statement of the complainant on oath would clearly reveal that no offence under the provisions of SC/ST Act is disclosed.

On the other hand, learned counsel for the complainant opposed the prayer for anticipatory bail on the ground that the witnesses, examined during inquiry under Section 202 Cr.P.C., have stated that the appellant and others have abused by taking caste name of the complainant.

Considering the aforesaid facts, 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/- (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.



Accordingly, the impugned order is set aside and appeal stands allowed.

(Birendra Kumar, J)

Mkr./-

AFR/NAFR	NAFR
CAV DATE	NA
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