

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1403 of 2018

Arising Out of PS.Case No. -51 Year- 2016 Thana -SC/ST District- JAMUI

=====

1. Ramadhar Singh, son of late Chamru Singh, resident of village-R.K.
Line Hotel Banjhuliya, P.S. Gidhaur District-Jamui. Permanent Ward
No. 17, Pasapura, P.S.-Muffasil, District-Begusarai.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

=====

Appearance :

For the Appellant/s : Mr. Umesh Prasad, Advocate
For the Respondent/s : Mr. Sadanand Paswan, SPP

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4/ 24-05-2018

Heard 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 refusal of prayer for anticipatory bail in **Jamui SC/ST P.S. Case No.51 of 2016** instituted under Section(s) 323, 504, 506/34 Indian Penal Code and Section 3(i)(x)(iv)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Counsel for the appellant submits that another co-accused, Arjun Saw, with similar allegation has been granted anticipatory bail by a co-ordinate Bench of this Court by order dated 11.05.2018 passed in Cr. Appeal (SJ) No.1219 of 2018. Counsel for the appellant further submits that the police found



case false but the Court below has taken cognizance by order dated 20.07.2017.

In the written report, there is general and omnibus allegation against the appellant.

The Additional Sessions Judge has also mentioned in the impugned order that police has found the case false during investigation but the Court below has taken cognizance.

Considering the aforesaid facts, let the appellant, above named, in the event of his arrest/surrender within a period of six weeks from today in connection with **Jamui SC/ST P.S. Case No.51 of 2016**, be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the **Additional Sessions Judge 1st, Jamui** subject to the conditions as laid down under Section 438(2) Cr. P. C. with further conditions: (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be liable to cancel his bail bond and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case,



prosecution will be at liberty to move for cancellation of bail of the petitioner.

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

(Sanjay Priya, J)

JA/-

U		T	
---	--	---	--

