

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.2297 of 2018

Arising Out of PS.Case No. -114 Year- 2018 Thana -OBRA District- AURANGABAD

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1. Navin Kumar, S/o Satyanarayan Singh, R/o Vill. - Manjhiawan, P.S. - Obara,
District - Aurangabad.

.... 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 11.06.2018 in Obara P.S. Case No. 114 of 2018 passed by the learned Special Judge S.C./S.T. (POA) Act, Aurangabad in connection with the aforesaid case registered under Sections 341, 323, 324, 325, 353, 307, 420, 504/34 of the Indian Penal Code as well as Sections 3(i)(r)/3(i)(s)/3(2)(v) of the SC/ST Act.

I have gone through the record as well as case diary, the appellant is not named in the FIR. The owner of the sand and the informant, the security of the District Magistrate allegedly quarreled and assault was committed against the informant by those persons by taking caste name.



Submission is that the appellant was simply driver of the tractor which was carrying the sand and no other allegation is there against the appellant.

Learned Special Public Prosecutor 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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