

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.2614 of 2018

Arising Out of PS.Case No. -105 Year- 2018 Thana -MASAURHI District- PATNA

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1. Vicky Kumar @ Vicky Yadav Son of Late Ajab Yadav @ Ajab Prasad Yadav,
resident of Mohalla- Gangachak Malikana, P.O.+ P.S.- Masaurhi, District- Patna.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

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

For the Respondent/s : Mr. Binay Krishna, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 18-08-2018

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 against the refusal of prayer for anticipatory bail vide order dated 02.07.2018 passed in A.B.P. No.4615 of 2018 by the learned Special Judge (S.C./S.T. Act)-cum-Additional Sessions Judge-V, Patna, in connection with Masaurhi Police Station Case No.105 of 2018 registered under Sections 147/148/149/341/323/504/506/379 of the Indian Penal Code and Sections 3(i) (r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Co-accused-Naulesh Kumar had lodged Masaurhi P.S. Case No.650 of 2017 against the named persons and submission is that just to pressurize in that case, the present



false case has been lodged with allegation that the appellant allegedly assaulted and abused to the informant.

Other co-accused have been granted anticipatory bail by this Court vide Annexure-3.

Considering the background and general and omnibus nature of allegation, 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
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