

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3334 of 2018

Arising Out of PS. Case No.-255 Year-2017 Thana- BAHERA District- Darbhanga

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Amit Kumar, Son of Ashok Lal Deo, resident of Village- Ujjaina, Police
Station- Baheri and District- Darbhanga. ... Appellant/s

Versus

The State of Bihar. Respondent/s

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Appearance :

For the Appellant/s : Mr. Girish Chandra Jha, Adv

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 20-11-2018

Heard learned counsel for the parties.

This is an appeal 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 01.08.2018 in A.B.P. No.801 of 2018 passed by the learned 1st Additional Sessions Judge-cum-Special Judge, SC/ST Act, Darbhanga in connection with Bahera P.S.Case No. 255 of 2017 registered under Sections 341,323,353,504 and 506 of the Indian Penal Code as well as under Sections 3(i)(r) & 3(i)(s) of the Scheduled Castes and Scheduled Tribes Act.

The appellant is an advocate practising in the Benipur Sub Divisional Court. The informant is a Sub Inspector of Police and was deputed thereat to maintain



law and order on the occasion of organization of Lok Adalat. The allegation of commission of abuse and manhandling is there during business of Lok Adalat.

Submission is that the first occurrence was compromised at the spot and to support the subsequent occurrence, there is no witness before the police, which would be evident from the case diary. The appellant has got no criminal antecedent.

Considering the entire facts of this case 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 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	26.11.2018
Transmission Date	26.11.2018

