

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3341 of 2018

Arising Out of PS. Case No.-12 Year-2018 Thana- SC/ST District- Saran

Shital Rai @ Mithilesh Rai @ Mithilesh Kumar, Son of Jamuna Rai, R/o
Village- Pirari, P.S. Garkha, District- Saran.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Mukesh Kumar Singh
For the Respondent/s : Mr. Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 11-10-2018

Heard learned counsel for the parties.

This is an appeal under Section 14(A) 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 24.07.2018 passed by the learned 1st Additional Sessions Judge, Saran at Chapra in A.B.P. No.1935 of 2018, arising out of SC/ST Police Station Case No.12 of 2018 registered under Sections 341, 323, 354, 379, 504 of the Indian Penal Code and Sections 3 (i)(r)/3(i)(w) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

The complaint based F.I.R. would reveal that there is allegation of commission of abuse and assault by taking caste name of the informant as well as commission of theft. During investigation it revealed that the informant was in the habit of



selling liquor by the side of the temple, which was protested by the villagers and appellant, for the reason that female family members of the appellant used to go to worship in the said temple.

Considering the background 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 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 conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the appellant shall fully co-operate 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)

abhishek/-

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CAV DATE	
Uploading Date	
Transmission Date	

