

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3769 of 2018

Arising Out of PS. Case No.-481 Year-2018 Thana- SHEKHPURA District- Sheikhpura

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Anu Kumar, S/o Baudhu Mandal, R/o Vill. - Chitaura, P.S. - Sheikhpura
(Hathiyawan), District - Shekhpura (Bihar).

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Raj Kishor Prasad

For the Respondent/s : Mr. Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 13-12-2018

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 29.08.2018 in A.B.P. No. 522 of 2018 passed by the learned 1st Additional Sessions Judge-cum-Special Judge S.C./S.T. (POA) Act, Sheikhpura in connection with Sheikhpura (Hathiyawan) P.S. Case No. 481 of 2018 registered under Sections 147, 148, 149, 341, 323, 307, 504, 506, 353, 186 of the Indian Penal Code as well as Sections 3(2)(va), 3(1)(v)(s) of the SC/ST Act.

The informant, who is Sub-Divisional Officer, had gone to remove the blockade of traffic by a mob, for the reason of death of two persons in road accident. Allegation is that mob



abused the informant by taking his caste name. The appellant and others were identified in the mob.

Considering the general and omnibus nature of allegation and statement of the appellant on oath that he has got no criminal antecedent, 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/- (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 the territorial jurisdiction of the learned court below.

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

(Birendra Kumar, J)

Kundan/Rajan

AFR/NAFR	N.A.
CAV DATE	N.A.
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