

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1318 of 2018

Arising Out of PS. Case No.-7 Year-2018 Thana- ATRI District- Gaya

Shiv Hari Prasad @ Shivdhari Prasad, Son of Ramsharan Yadav, Resident of village Rangpur Dih, Police Station - Atri, District - Gaya.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Shailesh Kumar

For the Respondent/s : Mr. Smt Usha Kumari No-1

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 04-05-2018

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 against the refusal of prayer for regular bail by the learned Exclusive Special Judge (SC/ST Act), Gaya, in Atri P.S. Case No. 07 of 2018 registered under Sections 341,323,324,307/34 of the Indian Pena Code as well as under Section 3 (i) (r) (s) of the SC/ST (Prevention of Atrocities) Act, 1989.

The FIR does not disclose specific allegation against any of the named accused person or unknown person of commission of assault. Co-accused Ranjeet Yadav has already been allowed anticipatory bail by this Court vide Annexure-2.

Learned counsel for the informant opposes the prayer



of bail on the ground of seriousness of injury caused to the injured.

Since allegation is not specific against the appellant, let the appellant, above named, be released on bail on furnishing bail bonds of Rs. 20,000/- (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 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 appellants.

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

(Birendra Kumar, J)

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