

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Appeal (SJ) No.3626 of 2018**

Arising Out of PS. Case No.-71 Year-2018 Thana- PANDARAK District- Patna

Sikandar Kumar Son of Vijay Mahto R/o Village-Mamarkhabad, P.S.-  
Pandarank, District-Patna.

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

**Appearance :**

For the Appellant/s : Mr. Anil Kumar Singh, Adv  
For the Respondent/s : Mr. Binay Krishna, SPP

**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR**  
**ORAL JUDGMENT**

**Date : 10-12-2018**

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 29.08.2018 in A.B.P. No.6281 of 2018 passed by the learned Special Judge, SC/ST-cum-Additional Sessions Judge-IV, Patna in connection with Special Case No. 375 of 2018(arising out of Pandarak P.S.Case No.71 of 2018) registered under Sections 323,325,307/34 of the Indian Penal Code as well as under Sections 3(I)(r) of the Scheduled Castes and Scheduled Tribes Act.

Allegation against the appellant is of commission of assault to the son of the informant during a marriage function.



Submission is that son of the informant was creating nuisance thereat and he was simply asked to leave the place. Just to pressurize, false case has been lodged. Appellant has got no criminal antecedent.

Considering the entire facts 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/-

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