

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1109 of 2018

Arising Out of PS.Case No. -54 Year- 2017 Thana -BARHAT District- JAMUI

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1. Chhoti Singh S/o Nitya Singh, R/o Nabhat, P.S.- Barhat, District- Jamui.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr.

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 06-07-2018

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 by order dated 17.03.2018 in A.B.P. No. 198 of 2018 passed by the learned 1st Additional Sessions Judge-cum-Special Judge, S.C./S.T. Act, Jamui in Barhat P.S. Case No. 54 of 2017 registered under Sections 341, 323, 307, 337/34 of the Indian Penal Code as well as Section 3(i)(x) of the SC/ST Act.

Though allegation in the FIR against the appellant is of commission of assault and abuse by taking caste name, however, submission is that informant and his wife is in the habit of lodging false cases against different persons and compromising the same after getting money from the accused.

Learned counsel has produced copy of different FIR's



either lodged by the informant or his wife against different persons. He further submits that in this case also compromise has been filed by the informant.

Learned Special Public Prosecutor has opposed the prayer for bail.

Considering the substantial substance in the submission 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 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 and 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)

Kundan/-

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