

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1114 of 2018

Arising Out of PS. Case No.-268 Year-2016 Thana- ARA MUFFSIL District- Bhojpur

Ram Kumar Singh S/o Triveni Singh, R/o Mohalla- Vijay Nagar (Near Gangi), P.S.- Ara Town, District- Bhojpur.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Amarendra Kumar

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

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 23-05-2018 Heard learned counsel for the appellant and learned
Special P.P. for the State.

This is an appeal under Section 14 A(2) of the Schedule Caste and Schedule Tribe (Prevention of Atrocities) Act, 1989 against refusal of the prayer for anticipatory bail in connection with Ara Muffasil P.S. case no. 268 of 2016 registered under Sections 341, 323 448, 379 and 504/34 of the Indian Penal Code and Sections 3(i)(x)(xi) of the SC/ST (Prevention of Atrocities) Act.

Learned counsel for the appellant has submitted that the occurrence has taken place on 25.9. 2016 and the F.I.R. has been lodged on 28.9. 2016 after delay of three days. The appellant has got no criminal antecedents. It is further submitted that in the written report, it is mentioned that there is



land dispute between the parties. In the written report, there is general and omnibus allegation against the appellant that he provoked 20-25 unknown persons to commit mar- pit with the informant and loot the ornaments of his wife and mother.

Considering the aforesaid facts, let the appellant, above named, in the event of his arrest/surrender within six weeks from today in connection with Ara Muffasil P. S. case no. 268 of 2016, he shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned 1st Additional District and Sessions Judge, Ara, subject to the conditions as laid down under Section 438(2) Cr. P. C. with further conditions:(1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) appellant shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the appellant and (3) if appellant tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the appellant.

Accordingly, the impugned order is set aside and the



appeal stands allowed.

(Sanjay Priya, J)

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