

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No. 1414 of 2018

Arising Out of PS.Case No. -156 Year- 2017 Thana -CHAUTHAM District- KHAGARIA

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1. Anuj Kumar Singh Son of Late Bhagwan Singh @ Bhagwan Prasad Singh,
Resident of Village - Nariyar Road, Ward No. 03, P.S. - Saharsa, District -
Saharsa.

.... 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 20.03.2018 in A.B.P. No. 14 of 2018 passed by the learned 1st Additional Sessions Judge-cum-Special Judge (S.C./S.T.), Khagaria in Chautham P.S. Case No. 156 of 2017 registered under Sections 420, 406/34 of the Indian Penal Code as well as Sections 3(1)(r) of the SC/ST Act.

Accused Niranjana Singh had taken money from the informant for managing job. The informant was found cheated as neither the money was refunded nor job was managed. The appellant had accompanied Niranjana Singh at the time when occurrence of abuse and assault took place.

Submission is that background of allegation would not



reveal that the appellant was intending to humiliate a member of the scheduled caste, rather the occurrence took place for some different dispute wherein the informant himself appears to have indulged in illegal act of managing backdoor entry in job.

Learned Special Public Prosecutor has opposed the prayer for bail.

Considering the substance in the aforesaid submission, 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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