

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1807 of 2018

Arising Out of PS.Case No. -149 Year- 2015 Thana -RUNISAIDPUR District- SITAMARHI

=====

1. Babul Kumar @ Bablu Kumar, Son of Sri Ambuj Kumar alias Raghavendra Singh, Resident of Village Morsand, P.S.- Runni Saidpur, Dist.- Sitamarhi.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

=====

Appearance :

For the Appellant/s : Mr. Mrityunjay Kumar, Adv

For the Respondent/s : Smt. Usha Kumari No.1, SPP

=====

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 16-08-2018

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 23.04.2018 in A.B.P. No.604 of 2018 passed by the learned Additional Sessions Judge-I-cum-Special Judge, SC/ST Act, Sitamarhi in connection with Runni Saidpur P.S.Case No. 149 of 2015 registered under Sections 147,149,323,354,504/34 of the Indian Penal Code as well as under Sections 3(i)(x) of the Scheduled Castes and Scheduled Tribes Act.

The offences of the Indian Penal Code alleged against the appellant are mostly bailable. The allegation is general and



omnibus and not specific against the appellants.

Considering the general and omnibus nature of allegation against the appellant as well as statement of the appellant on oath that he has got no criminal antecedent, 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 both bailors shall be resident of territorial jurisdiction of the learned court below 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/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	18.08.2018
Transmission Date	18.08.2018

