

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3471 of 2018

Arising Out of PS. Case No.-74 Year-2018 Thana- DAUDNAGAR District- Aurangabad

Sunil Kumar, S/o Sri Bigneshwar Singh @ Bigan Singh, R/o Vill.- Lala Aumona, Vivekanand Mission School, Daudnagar, P.S.- Daudnagar, District- Aurangabad.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Bhaskar Shankar
For the Respondent/s	:	Mr. Sri Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 06-12-2018

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 vide order dated 24.08.2018 passed by the learned 1st Additional Sessions Judge-cum-Special Judge (SC/ST) Act, Aurangabad in Daudnagar Police Station Case No.74 of 2018 registered under Sections 341, 323, 354, 427/34 of the Indian Penal Code and Section 3 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Submission is that the F.I.R. would reveal that appellant is Proprietor of a School. By the side of his school high tension electric wire was being installed by the informant and his labours were working thereat. The appellant prevented them from



doing so near the school and for that reason appellant allegedly abused the labours.

Submission is that false allegation is there just to pressurize to allow the installation of live high tension electric wire, which is dangerous for the school children. The appellant has got no criminal antecedent.

Considering the background and nature of allegation, 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 conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the appellant shall fully co-operate 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)

abhishek/-

AFR/NAFR	NAFR
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