

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2797 of 2018

Arising Out of PS. Case No.-154 Year-2017 Thana- KATRA District- Muzaffarpur

Rabindra Kumar, son of Kailash Yadav, resident of Village- Lakhanpur
Anguana Tola, P.S.- Katra, District- Muzaffarpur.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Ganesh Prasad Singh
For the Respondent/s : Mr. Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 13-08-2018

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 regular bail vide order dated 28.06.2018 passed by the learned 11th Additional Sessions Judge-cum-Special Judge, S.C./S.T. Act, Muzaffarpur in Katra Police Station Case No.154 of 2017 registered under Section 395 of the Indian Penal Code as well as Section 3(1)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

The F.I.R. of the occurrence of *Dacoity* is against unknown.

Submission is that the appellant is in custody since 24.03.2018 only on suspicion. Thereafter, the appellant was never



put on T.I. Parade, nor the appellant has got any criminal antecedent. Only material is that the mobile of the appellant was seized, suspecting to be a looted property, for the reason that the mobile of the appellant was of the same company, which was looted from the informant. Investigation of the case is already complete.

Considering the aforesaid facts, let the appellant, above named, 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 learned court below where the case is pending in connection with the aforesaid case, subject to the condition that 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)

abhishek/-

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Uploading Date	
Transmission Date	

