

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3550 of 2017

Arising Out of PS.Case No. -6 Year- 2014 Thana -SC/ST District- PATNA

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1. Ravindra Narain Lal, Age about 55 years, S/o- Sri Ram Narain Lal,
resident of Mohalla- Pirmuhani near Uma Takies, P.S. Gandhi Maidan,
District- Patna.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Uday Shankar Choudhary

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 02-02-2018

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 the learned Additional Sessions Judge-II-cum-Special Judge (S.C./S.T.), Patna in Special Case No. 01 of 2014 arising out of Patna SC/ST P.S. Case No. 06 of 2014 arising out of Complaint Case No. 26536(C) of 2014 registered under Sections 323, 448, 354, 427/34 of the Indian Penal Code as well as Section 3(x)(xi)(xiv) of the SC/ST Act.

The complaint based allegation would reveal that old civil suits is going on between the parties for land dispute and in the aforesaid background allegation is of commission of abuse and assault.



Submission of the learned counsel for the appellant is that no ingredient of intentional humiliation of a member of the schedule caste is there. Hence, bar under Section 18 of the SC/ST Act is not attracted.

Finding substance in the submission aforesaid, 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, this appeal stands allowed.

(Birendra Kumar, J)

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