

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3609 of 2017

Arising Out of PS.Case No. -24 Year- 2017 Thana -SC/ST District- SITAMARHI

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1. Ram Nihora Rai, Son of Late Babunandan Rai, Resident of Village-Garha, Ward No.6, P.S. Runni Saidpur, District-Sitamarhi

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

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

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 23-03-2018

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 against the refusal of prayer for anticipatory bail by the learned 1st Additional Sessions Judge-cum-Special Judge (S.C./S.T. Act), Sitamarhi, in connection with Sitamarhi SC/ST Police Station Case No.24 of 2017 registered under Sections 341/323/354/467/468/420/504/506/34 of the Indian Penal Code and Sections 3(i) (r)(w)(1) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The appellant allegedly abused the informant by taking caste name in the background of some dispute relating to appointment on the post of Aanganbari Sevika.



Considering the background of allegation, the matter appears to be an abuse of law, 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 bonds of Rs.20,000/- (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/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 appeal stands allowed.

(Birendra Kumar, J)

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