

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.683 of 2018

Arising Out of PS.Case No. -4 Year- 2018 Thana -SC/ST District- PATNA

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1. Kiran Sinha D/o Late Baleshwar Prasad, R/o Village & P.O.- Kurari,
P.S.- Belehhi, District- Patna, Bihar.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Ajay Kumar Singh, Advocate

For the Respondent/s : Mr. Binay Krishna, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 22-03-2018

Heard learned counsel for the parties.

This is an appeal under Section 14(A) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer for anticipatory bail by the learned Special Judge (S.C./S.T. Act)-Additional Sessions Judge-V, Patna, in SC/ST/M Police Station Case No.4 of 2018 registered under Sections 341/323/353/427/504/34 of the Indian Penal Code and Sections 3(i) (r) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The informant is head-master of the school where the appellant and co-accused Arvind Kumar Sikariwal are teachers. The informant had lodged another case bearing Fathua P.S. Case No.14 of 2018 for the occurrence of the same day i.e., 09.01.2018 vide Annexure-2 wherein he has not alleged any thing that the



appellant or Arvind Kumar Sikariwal abused him by taking caste name. After delay of seven days, the present FIR was lodged for the occurrence of 09.01.2018 itself.

Learned Special Public Prosecutor has opposed the prayer for bail.

Considering the aforesaid submission, let the appellant, above named, in the event of her 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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