

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No. 1510 of 2018

Arising Out of PS.Case No. -75 Year- 2018 Thana -BIHTA District- PATNA

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1. Kaiju Roy, Son of Late Vidya Roy, Resident of Village- Allahanpura, P.S.-
Bihta, District- Patna.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr.

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 15-05-2018

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 Special Judge SC & ST-cum-learned 5th Additional Sessions Judge, Patna in Bihta P.S. Case No. 75 of 2018 registered under Sections 341, 323, 504, 506, 354 of the Indian Penal Code as well as Sections 3(i)(r), 3(2)(v)(a) of the SC/ST Act.

Due to quarrel between the children of the two family, the appellant is alleged to have committed assault to the informant and attempt to outrage the modesty of a female member of the family when she came for rescue. The appellant has stated on oath that he has got no criminal antecedent.



Learned Special Public Prosecutor has opposed the prayer for bail.

Considering the background and nature of allegation which does not show that the appellant had any intention to humiliate a member of the scheduled caste, 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, the impugned order is set aside and this appeal stands allowed.

(Birendra Kumar, J)

Kundan/-

AFR/NAFR	N.A.
CAV DATE	N.A.
Uploading Date	
Transmission Date	

