

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1683 of 2018

Arising Out of PS. Case No.-294 Year-2013 Thana- GHORASAHAN District- East
Champaran

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Ram Pravesh Prasad Yadav, S/o Shambhu Prasad Yadav, R/o Vill.- Balbahuri
Tola, P.S.- Jitna, District- East Champaran.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Umesh Chandra Verma
For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 17-07-2018

Heard learned counsel for the parties.

This is an appeal under Section 14-A (1) & (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 vide order dated 07.04.2018 passed by the learned 1st Additional Sessions Judge-cum-Special Judge, SC/ST (POA) Act, East Champaran at Motihari in A.B.P. No.638 of 2018, arising out of Ghorasahan (Lakhaura) Police Station Case No.294 of 2013 registered under Sections 147, 148, 149, 341, 323, 354, 379, 504, 506 of the Indian Penal Code and Section 27 of the Arms Act as well as Section 3(i)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act and Section 17 of C.L.A. Act.



According to F.I.R., 12 persons allegedly committed abuse, assault and theft in the house of the informant, claiming themselves as members of the extremists group. The appellant has stated on oath that he has got no criminal antecedent. No overt act has been specifically alleged against the appellant.

Considering the aforesaid material, 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 conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the appellant shall fully co-operate 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/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

