

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1969 of 2018

Arising Out of PS. Case No.-11 Year-2018 Thana- SC/ST District- Sheikhpura

Md. Aslam, S/o Md. Asghar, Resident of Mohalla- Yahiyapur, P.S.-
Sheikhpura, District- Sheikhpura.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Syed. Rizwanul Haque
For the Respondent/s : Smt Usha Kumari No-1

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 18-07-2018

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 vide order dated 09.05.2018 passed by the learned 1st Additional Sessions Judge, Sheikhpura, in A.B.P. No.147 of 2018, arising out of Sheikhpura SC/ST Police Station Case No.11 of 2018 registered under Sections 341, 323, 504, 506/34 of the Indian Penal Code and Section 3 (ii) (va), 3 (R) (S) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

The appellant is neighbour of the informant and for parking the vehicle the dispute arose. The allegation is of commission of abuse and assault as well as theft of money.



Submission is that the appellant has got no criminal antecedent. He has been falsely implicated in this case for trivial dispute. The offences alleged under the Indian Penal Code are bailable.

Considering the facts 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 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/-

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Transmission Date	

