

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1867 of 2018

Arising Out of PS.Case No. -77 Year- 2017 Thana -BACHWARA District- BEGUSARAI

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1. Sunil Singh @ Sunil Kumar Singh, Son of Late Prabhu Naryan Singh, Resident of Village- Gaihuni, P.S.- Bhagwanpur, Dist- Begusarai.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Sabal Kumar Jha, Advocate

For the Respondent/s : Mr. Sadanand Paswan, SPP

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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 against the refusal of prayer for anticipatory bail vide order dated 10.05.2018 passed by the learned Special Judge (S.C./S.T. Act), Begusarai, in A.B.P. No.836 of 2018, arising out of Bachchwara Police Station Case No.77 of 2017, registered under Sections 302/120B/34 of the Indian Penal Code, Section 27 of the Arms Act and Section 3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The FIR would reveal that the informant is an eyewitness of the occurrence. Named six accused persons allegedly fired at the



husband of the informant in her presence which caused death of the husband of the informant. Allegation against the appellant and two others is that they were conspirators of the aforesaid occurrence. Appellant has got no criminal antecedent.

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 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)

Mkr./-

AFR/NAFR	NAFR
CAV DATE	NA
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