

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.2583 of 2018

Arising Out of PS.Case No. -2 Year- 2018 Thana -SAHPUR District- PATNA

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1. Kunal Rai @ Kunal Kumar S/o Beda Rai, R/o Vill.- Daudpur, Bindtoli, P.S.-
Sahpur, District- Patna. Appellant/s

Versus

1. The State of Bihar Respondent/s

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Appearance :

For the Appellant/s : Mr. Sandip Kumar Gautam, Adv

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 18-08-2018

Heard learned counsel for the parties.

This is an appeal under Sections 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, against refusal of the prayer for anticipatory bail by order dated 06.06.2018 in A.B.P. No.3861 of 2018 passed by the learned Special Judge, SC/ST Act-cum-Additional Sessions Judge-V, Patna in connection with Sahpur P.S.Case No. 02 of 2018 registered under Sections 341, 323, 324, 448, 326, 354, 504, 506, 34 of the Indian Penal Code as well as under Sections 3(r)(s) of the Scheduled Castes and Scheduled Tribes Act.

The allegation of commission of abuse and assault is against other accused persons for the reason that the informant had informed to the police that the named accused are involved in the business of liquor. Only allegation against the appellant is that he had instigated others to drag out the informant from the house.



Considering the nature of allegation and statement of the appellant that he has got no criminal antecedent, 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 anticipatory bail on furnishing bail bond of Rs.20,000 (Twenty Thousand) with two sureties of the like amount each to the satisfaction of 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 and both bailors shall be resident of territorial jurisdiction of the learned court below and further 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 this appeal stands allowed.

(Birendra Kumar, J)

Nitesh/-

AFR/NAFR	NAFR
CAV DATE	NA
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