

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.3585 of 2017

Arising Out of PS.Case No. -231 Year- 2017 Thana -GAUTAMBUDHNAGAR District- SIWAN

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1. Mukesh Kumar @ Mukesh Kumar Singh @ Mukesh Singh, Son of Ramji Singh, Resident of Village- Vashilpur, P.S.- G.B. Nagar, District- Siwan.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Rakesh Kumar Tiwary, Advocate

For the Respondent/s : Mr. Binay Krishna, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 25-09-2018

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 10.10.2017 passed by the learned Additional Sessions Judge-I, Siwan, in A.B.P. No.1385 of 2017, arising out of G.B. Nagar Police Station Case No. 231 of 2017, registered under Sections 323/341/354/504/506/34 of the Indian Penal Code and Section 3(i) (x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The offences of the Indian Penal Code alleged against the appellant are bailable.



Submission is that land dispute is reason behind the present false implication. Both sides are neighbours. The appellant has no criminal antecedent.

Considering the aforesaid submission, 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
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