

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1358 of 2018

Arising Out of PS. Case No.-65 Year-2018 Thana- HILSA District- Nalanda

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Jitendra Kumar @ Jitendra Prasad, S/o Yamun Prasad, Resident of Village-
Gobalbigha, Police Station- Hilsa, District- Nalanda.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Ajay Mukherjee

For the Respondent/s : Smt. Usha Kumari No.-1

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 04-05-2018

Heard learned counsel for the parties.

This is an appeal under Section 14A (2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer for regular bail by the learned 1st Additional Sessions Judge, Nalanda at Biharshari, in Hilsa P.S. Case No. 65 of 2018 registered under Sections 420,409,120(B) of the Indian Penal Code as well as under Section 3 (1)(r) of the SC/ST (Prevention of Atrocities) Act, 1989.

The appellant is not named in the FIR.

Allegation is that the FIR named persons have misappropriated the cost of rice.

Submission of the learned counsel for the appellant is that during investigation, a vehicle was found being loaded with



rice and the appellant was driver of the said vehicle. Co-accused Sheo Kumar having identical allegation has already been allowed anticipatory bail vide Cr. Appeal (SJ) No. 1106 of 2018.

Considering the aforesaid facts, let the appellant, above named, 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 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)

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