

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.752 of 2018

Arising Out of PS.Case No. -16 Year- 2015 Thana -BHADAURA District- PATNA

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1. Dilip Kumar @ Dilip Pandit, aged about 45 Years, S/o Koshi Pandit, R/o Village- Ajgara, P.S.- Bhadaur (Barh), District- Patna.

.... Appellant/s

Versus

1. The State of Bihar.
2. Awadhesh Paswn S/o Late Birje Paswan, R/o Village- Bawan Bigha, P.S.- Bhadaur (Barh), District- Patna.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Vishal Saurabh, Advocate

For the Respondent/s : Mrs. Usha Kumari No.1, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 25-07-2018

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 05.01.2018 passed by the learned Additional Sessions Judge-V-cum-Special Judge (S.C./S.T. Act), Patna, in A.B.P. No.6590 of 2017, arising out of Bhadaur Police Station Case No.16 of 2015, registered under Sections 341/323/504 of the Indian Penal Code and Section 3(i) (x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The appellant is a school teacher. According to FIR, the informant had come to the School to know about the status of the scholarship of his son, who was studying in that school. During



discussion the appellant allegedly committed abuse and assault.

Submission is that the appellant has got no criminal antecedent. False allegation is there just to pressurize. He further submits that the appellant has no role in the matter of disbursement of scholarship to the students of school.

Considering the aforesaid facts, 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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