

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1773 of 2018

Arising Out of PS.Case No. -49 Year- 2017 Thana -SC/ST District- MUNGER

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1. Ram Kumar Choudhary son of Late Shiv Nandan Choudhary, resident of Village- Garhi Rampur, P.S.- Naya Ramnagar, District- Munger.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

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

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 02-08-2018

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 31.03.2018 passed by the learned I/C. Sessions Judge, Munger, in A.B.P. No.174 of 2018, arising out of SC/ST Police Station Case No.49 of 2017, registered under Sections 341/323/504 of the Indian Penal Code and Section 3(i)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

According to FIR, the appellant allegedly assaulted to the informant for the reason that informant was Bataidar of the appellant and the appellant and others were cutting the crop sown and grown by the informant.



Submission is that the informant has been set up by the co-sharers of the informant, namely, Uday Chaudhary and Shailendra Chaudhary with whom there is land dispute. The present appellant had deposed in favour of Uday Chaudhary in S.T. No.811 of 2014 vide Annexure-3.

Considering the background and nature of allegation, 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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