

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3568 of 2017

Arising Out of PS.Case No. -11 Year- 2017 Thana -SC/ST District- BHOJPUR

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1. Jai Prakash Pandey, S/o Sunil Pandey, R/o Village - Gyanpur, P.S.-
Barahara, District - Bhojpur.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Dharendra Singh

For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 15-02-2018

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 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for anticipatory bail by the learned 1st Additional Sessions Judge-cum-Special Judge (S.C./S.T.), Bhojpur, Ara in SC/ST Case No. 11 of 2017 registered under Sections 448, 385, 504, 506/34 of the Indian Penal Code as well as Sections 3(1)(r)(s), 3(2)(va) of the SC/ST Act.

Allegation against the appellant is that he reached the school where the informant was in-charge headmaster and asked for register of the midday meal. On non-production, they abused and demanded ransom.

Learned counsel for the appellant submits that there



is no other eye-witness of the occurrence, rather in para 7 of the case diary, a teacher of the school has stated before the police that the informant was in habit of coming late to the school and that is why the appellant and others had asked him to mend his behaviour. The Appellant has got no criminal antecedent.

Considering the aforesaid fact, 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 bond of Rs.20,000/- (rupees 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 and trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the appellant.

Accordingly, this appeal stands allowed.

(Birendra Kumar, J)

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