

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1839 of 2018

Arising Out of PS.Case No. -29 Year- 2015 Thana -SC/ST District- ARRARIA

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1. Sadanand Paswan Son of Subuk Lal Paswan resident of Village : Khabdah, P.S. :
Narpatganj, District - Araria, Bihar.

.... Appellant/s

Versus

1. The State of Bihar.
2. Arun Paswan, Son of Raghu Paswan, Resident of Village-Khabdah, Ward
No.12, P.S.- Narpatganj, District-Araria, Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Sanjay Kumar Sharma, Adv

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 23-08-2018

Heard learned counsel for the parties.

The appellant has already filed a supplementary
affidavit for removal of defect No.14(1).

This is an appeal under Sections 14(A)(2) of the
Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act, against refusal of the prayer for anticipatory bail
by order dated 28.02.2018 in A.B.P. No.278 of 2018 passed by
the learned 1st Additional Sessions Judge-cum-Special Judge,
Araria in connection with Araria SC/ST P.S.Case No. 29 of 2015
later converted to Spl. Case No.119 of 2017 registered under
Sections 341,342,406,420,504,506,34 of the Indian Penal Code
as well as under Sections 3(i)(e) and Section 3(i)(u) of the
Scheduled Castes and Scheduled Tribes Act.

Allegation is that the land which the informant was



to purchase was also negotiated by the appellant to purchase and in that background, allegation is of commission of abuse etc. Appellant is also a member of scheduled caste.

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 anticipatory bail on furnishing bail bond of Rs.20,000 (Twenty Thousand) with two sureties of the like amount each to the satisfaction of 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 and both bailors shall be resident of territorial jurisdiction of the learned court below and further 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 this appeal stands allowed.

(Birendra Kumar, J)

Nitesh/-

AFR/NAFR	NAFR
CAV DATE	NA
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