

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3159 of 2018

Arising Out of PS. Case No.-222 Year-2018 Thana- BARH District- Patna

Tanik Yadav S/o Shiv Gope , R/o Vill.- Budhanni Chak, P.S.- Barh, District- Patna.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Sanjay Kumar @ S.K., Adv
For the Respondent/s : Mr. Binay Krishna, SPP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 13-12-2018

Heard learned counsel for the parties.

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 26.07.2018 in A.B.P. No.5390 of 2018 passed by the learned Special Judge, SC/ST-cum-Additional Sessions Judge-V, Patna in connection with Barh P.S.Case No. 222 of 2018 registered under Sections 452,379,427,504,506/34 of the Indian Penal Code as well as under Sections 3(1)(r),3(1)(z),3(1)(f),3((1)(g) of the Scheduled Castes and Scheduled Tribes Act.

The appellant is neighbour of the informant.

Allegation is that he damaged the boundary



wall and committed abuse and assault and threatened to remove from there.

Submission is that for trivial dispute between the two neighbours false case has been lodged.

Considering the 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 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 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
Uploading Date	14.12.2018
Transmission Date	14.12.2018

