

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.778 of 2018

Arising Out of PS.Case No. -97 Year- 2017 Thana -BARH District- PATNA

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Pramod Singh, S/O Late Sawarath Singh, Resident of Village Budhanpur,
P.S. Barh, District Patna

.... Appellant/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr.
For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 15-03-2018 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 5th Additional Sessions Judge-cum-Special Judge (S.C./S.T.), Patna in Barh P.S. Case No. 97 of 2017 registered under Sections 341, 323, 324, 307, 353/34 of the Indian Penal Code as well as Sections 3(1)(r) of the SC/ST Act.

A Sub-Inspector of Police has lodged the FIR that he along with police party had gone to investigate the referred case. The appellant and his son abused by taking caste name. No reason for the occurrence is disclosed in the FIR.



Submission is that just to pressurize, false case has been lodged.

Learned Special Public Prosecutor has opposed the prayer for bail.

Considering the non-disclosure of the name of caste which was uttered by the individual accused, 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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