

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3837 of 2018

Arising Out of PS. Case No.-2 Year-2016 Thana- SC/ST District- Aurangabad

Sharma Sao, S/o Deobali Sao, Resident of Village- Rakhua, P.S.- Feshar,
District- Aurangabad.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Bhaskar Shankar
For the Respondent/s	:	Mr. Sri Sadanand Paswan
For the Informant	:	Mr. Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 13-12-2018

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 vide order dated 30.08.2018 passed by the learned 1st Additional Sessions Judge-cum-Special Judge (SC/ST) Act, Aurangabad in Aurangabad (Town) SC/ST Police Station Case No.02 of 2016 registered under Sections 447, 341, 323, 307, 504, 436/34 of the Indian Penal Code and Section 3 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

The allegation of burning the house of the informant is against co-accused, *Gaya Sao*. There is general and omnibus allegation against the appellant and others of commission of assault



and abuse. There is case and counter case. Appellant has got no criminal antecedent.

Learned counsel for the informant opposed the prayer for anticipatory bail.

Considering the fact that allegation against the appellant is general and omnibus, 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 conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the appellant shall fully co-operate 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)

abhishek/-

AFR/NAFR	NAFR
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