

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2833 of 2018

Arising Out of PS. Case No.-115 Year-2018 Thana- BHARGAMA District- Araria

Ajay Kumar Mehta, S/o Badri Mehta, resident of Village Pekkappar, P.S. Bhargama, District- Araria.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Anil Prasad Singh
For the Respondent/s : Mr. Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 31-08-2018

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 06.07.2018 passed by the learned 1st Additional Sessions Judge-cum-Special Judge, Araria in A.B.P. No.811 of 2018, in connection with Spl. S.C./S.T. Case No.88 of 2018, arising out of Bhargama Police Station Case No.115 of 2018 registered under Sections 147, 148, 149, 341, 323, 307, 379, 504 of the Indian Penal Code and Section 27 of the Arms Act as well as Section 3 (i) (r) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Both sides are neighbours. Allegation is that for land dispute the present false allegation has been levelled of firing and



commission of theft, though no injury was caused to anyone, nor anything was looted from the house of the informant. The appellant has got no criminal antecedent. *Annexure-2 series* would show that both sides are settlee in a portion of the same plot.

Considering the aforesaid facts, 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/-

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CAV DATE	
Uploading Date	
Transmission Date	

