

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1913 of 2018

Arising Out of PS.Case No. -3 Year- 2018 Thana -SC/ST District- VAISHALI(HAJIPUR)

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1. Ranjan Kumar, S/o Dayashankar Prasad, Resident of Mohalla Gandhi Ashram
P.S. Town Hajipur District- Vaishali. Appellant/s

Versus

1. The State of Bihar. ... Respondent/s

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Appearance :

For the Appellant/s : Mr. Rajeev Ranjan No.II, Adv

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 03-08-2018

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 17.05.2018 in A.B.P. No.864 of 2018 passed by the learned Additional Sessions Judge 1st-cum-Special Judge, SC/ST Act, Vaishali at Hajipur in connection with Hajipur SC/ST P.S.Case No. 03 of 2018 registered under Sections 341,323,342,307,448,504,506,34 of the Indian Penal Code as well as under Sections 3(i)(r), 3(i)(s),3(i)(g) of the Scheduled Castes and Scheduled Tribes Act.

Submission is that complaint based FIR would itself reveal that the complainant was care taker of one Bishundeo Rai with whom the appellant has land dispute and case is going on in the court. The informant was sent to jail in some other criminal case and after release therefrom he has lodged the



present false case with concocted allegation that the appellant committed abuse and assault by taking his caste name.

Considering the background and 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 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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