

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1000 of 2018

Arising Out of PS.Case No. -229 Year- 2017 Thana -HASPURA District- AURANGABAD

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1. Bindeshwar Mahto @ Beyash, Son of Brijnandan Mahto, resident of Village-
Amjharsharif, Police Station- Haspura, District- Aurangabad.

.... Appellant/s

Versus

1. 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 JUDGMENT

Date: 10-05-2018

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, against refusal of the prayer for anticipatory bail by the learned 1st Additional District & Sessions Judge- cum- Special Judge, SC/ST Act, Aurangabad in connection with Haspura P.S. Case No. 229/2017 registered under Sections 341, 323, 354 and 504 of the Indian Penal Code as well as Sections 3(1)(r), 3(1)(w)(i), 3(2)(v)(a) of the SC/ST Act.

The appellant suspected that the informant had plucked his pumpkin and for that reason committed abuse and assault.

Submission of the learned counsel for the appellant is



that the reason behind the occurrence would reveal that the appellant was not intending to humiliate a member of the Scheduled Castes or Scheduled Tribes.

Considering the nature of allegation and the fact that the appellant has got no criminal antecedent, 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, the impugned order is set aside and the appeal stands allowed.

(Birendra Kumar, J.)

Rakhi

AFR/NAFR	NAFR
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