

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.777 of 2018

Arising Out of PS.Case No. -362 Year- 2017 Thana -RAJAULI District- NAWADA

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1. Sahil Kumar @ Saheb Kumar, son of Kuldeep Yadav, Resident of Village-
Mohanpur Bahadurpur, Police Station- Rajauli, District- Nawada.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Kamal Kishore Singh, Advocate

For the Respondent/s : Mr. Sadanand Paswan, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 19-06-2018

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
against the refusal of prayer for anticipatory bail by the learned 1st
Additional Sessions Judge, Nawada, in connection with Rajauli Police
Station Case No.362 of 2017 registered under Sections
341/323/307/504/34 of the Indian Penal Code and Sections 3(i) (r) of
the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities)
Act, 1989.

Learned counsel for the State submits that only 3 to 4
pages of case diary are available and there is no material against the
appellant.

Allegation is of commission of abuse and assault by taking
the caste name of son of the informant.



Considering the entire facts aforesaid, 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 bonds of Rs.20,000/- (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/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the appellant.

If any material comes during investigation against the appellant after completion of the investigation the same shall be considered for consideration of prayer for bail of the appellant on appearance after cognizance.

Accordingly, the impugned order is set aside and appeal stands allowed.

(Birendra Kumar, J)

Mkr./-

AFR/NAFR	NAFR
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