

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.2106 of 2018

Arising Out of PS.Case No. -27 Year- 2017 Thana -SC/ST District- PATNA

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1. Arun Kumar, Son of Kapildeo Yadav, Resident of Village - Udaypur, P.S. - Paliganj, District - Patna.

.... 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: 03-08-2018

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 06.03.2018 in A.B.P. No. 1230 of 2018 passed by the learned 5th Additional Sessions Judge-cum-Special Judge S.C./S.T. (POA) Act, Patna in connection with Patna SC/ST P.S. Case No. 27 of 2017 registered under Sections 341, 323, 504, 506 of the Indian Penal Code as well as Sections 3(i)(r) of the SC/ST Act.

One month prior to the present occurrence, the appellant had lodged a criminal case against the informant and others. In the aforesaid background, allegation is that the appellant, who is a teacher in a school, abused and assaulted to the informant and others when the informant had gone to inquire about the status of the midday meal and



dress allowance of the school students.

Submission is that false allegation is there, just to pressurize.

Learned Special Public Prosecutor opposed the prayer for bail.

Considering the 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 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/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the appellant as well as condition that both the bailors shall be resident of within the territorial jurisdiction of the learned court below.

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

(Birendra Kumar, J)

Kundan/-

AFR/NAFR	N.A.
CAV DATE	N.A.
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