

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2760 of 2018

Arising Out of PS. Case No.-119 Year-2018 Thana- BIHPUR District- Bhagalpur

Narendra Kumar, Son of Naresh Prasad Yadav, resident of Village -
Narayanpur, P.S. - Bihpur (Bhawanipur), District - Bhagalpur.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Amrendra Kumar

For the Respondent/s : Mr. Binay Krishna

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 27-11-2018

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 regular bail vide order dated 19.06.2018 and 07.07.2018 in A.B.A. No. 683 of 2018 passed by the learned 3rd Additional Sessions Judge-cum-Special Judge S.C./S.T. (POA) Act, Bhagalpur in connection with Bihpur (Bhawanipur) P.S. Case No. 119 of 2018 registered under Sections 341, 323, 379, 363, 365, 504, 506/34 of the Indian Penal Code as well as Section 3(i)(r)(s) of the SC/ST Act.

The Superintendent of Police, Naugachia is physically present in the Court. With some necessary



instruction to ensure proper compliance of order of this Court, personal appearance of the Superintendent of Police, Naugachia is dispensed with.

The allegation of commission of initial abuse and threat is against co-accused Rakesh Raushan, son of this appellant. The occurrence took place for some dispute relating to election of Student Union. In the subsequent occurrence, the appellant is also alleged to have participated in abuse and threat to the informant.

Submission is that the case diary would show that no other witness has supported the allegation of participation of this appellant in the occurrence, rather some of the witnesses have stated that the appellant had not participated in the occurrence, rather he pacified the matter.

Considering the aforesaid matter, let the appellant, above named, 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 learned Court below where the case is pending in connection with the aforesaid case, subject to the 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 the territorial jurisdiction of the learned court below.

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

Kundan/Rajan

(Birendra Kumar, J)

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