

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1337 of 2018

Arising Out of PS.Case No. -244 Year- 2017 Thana -BAHADURPUR District- PATNA

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1. Sumit Kumar, Son of Sri Murari Prasad, P.S.- Bahadurpur, District- Patna,
Permanent Address- Mussalahpur Hatt, Shahganj, Professor Colony, P.S.-
Sultanganj, District- Patna. Appellant/s

Versus

1. The State of Bihar. Respondent/s

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Appearance :

For the Appellant/s : Mr. Ajit Kumar, Adv

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 14-05-2018

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 the learned Special Judge, SC/ST Act, Patna in connection with Bahadurpur P.S.Case No. 244 of 2017 registered under Sections 341,323,307,379,504,34 of the Indian Penal Code, 27 of Arms Act as well as under Sections 3(1)(r) of the Scheduled Castes and Scheduled Tribes Act.

Submission of the learned counsel for the appellant is that the appellant is a shopkeeper. The appellant has lodged Bahadurpur P.S.Case No.243 of 2017 dated 05.12.2017, alleging therein that unknown three students entered into his shop, ransacked the articles kept there and committed assault against the appellant. Further submission is that when name of



the informant was surfacing during investigation, the present FIR has been lodged with allegation that a boy was bringing a cow behind the informant and others. The cow thrashed the informant on the ground. When the informant was complaining to the appellant and others, they allegedly committed assault and fired from the firearm.

Considering the background of the allegation and general and omnibus nature, let the appellant, above named, who has got no criminal antecedent, 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 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.

Accordingly, this appeal stands allowed.

(Birendra Kumar, J)

Nitesh/-

AFR/NAFR	NAFR
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