

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1559 of 2018

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

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1. Rohit Kumar, son of Rajendra Yadav, resident of Village- Chhotki Thali, P.S. Govindpur, District- Nawada.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Bhavesh Kumar, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 17-07-2018

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 vide order dated 21.03.2018 passed by the learned Additional Sessions Judge 1st -cum-Special Judge, Nawada, in A.B.P. No.350 of 2018/32 of 2018, arising out of 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.

There is general and omnibus allegation against FIR named accused persons including the appellant of commission of assault to the son of the informant at the head.

Submission is that while hearing prayer for anticipatory



bail of co-accused Sahil Kumar @ Saheb Kumar this Court has called for case-diary and finding no material to substantiate the allegation anticipatory bail was granted to Sahil Kumar @ Saheb Kumar in Cr. APPeal (SJ) No.777 of 2018 on 19.06.2018.

Finding substance in the submission 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.

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

(Birendra Kumar, J)

Mkr./-

AFR/NAFR	NAFR
CAV DATE	NA
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