

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3647 of 2018

Arising Out of PS. Case No.-27 Year-2018 Thana- SC/ST District- Samastipur

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Hasiullah Khan son of Late Safiullah Khan, Resident of Village- Motipur,
P.S.- Rosera, District- Samastipur. Appellant/s

Versus

The State of Bihar Respondent/s

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Appearance :

For the Appellant/s : Mr. Abhay Shankar Singh, Adv

For the Respondent/s : Mr. Binay Krishna, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 10-12-2018

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 order dated 21.08.2018 in A.B.P. No.1885 of 2018 passed by the learned 1st Additional Sessions Judge, Samastipur in connection with SC/ST P.S.Case No. 27 of 2018 registered under Sections 147, 149, 323, 341, 354B, 504, 506 of the Indian Penal Code as well as under Sections 3(i)(r) and 3(i)(s) of the Scheduled Castes and Scheduled Tribes Act.

The local C.D.P.O. has reported to the police vide her letter No.610 dated 12.07.2018, alleging therein, that father-in-law of the informant and others had ransacked the office and created nuisance and assault, when the meeting of the Committee was going on. The FIR was registered on 14.07.2018.

Submission is that the appellant is working in the same office of C.D.P.O. and he was also victim of injury



at the hands of the father-in-law of the informant. Just to save the skin, present FIR has been lodged with allegation of commission of abuse and assault on the same day i.e. 12.07.2018, though the FIR was registered on 18.07.2018.

Considering the background of allegation and the statement of the appellant on oath that he has got no criminal antecedent, 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 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 and further 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 this appeal stands allowed.

(Birendra Kumar, J)

Nitesh/-

AFR/NAFR	NAFR
CAV DATE	NA
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