

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1310 of 2018

Arising Out of PS.Case No. -377 Year- 2017 Thana -BIDUPUR District- VAISHALI(HAJIPUR)

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1. Randhir Singh @ Randhir Kumar, Son of Umesh Singh, Resident of Village-
Chandpura, Saidabad, Police Station- Bidupur in the district of Vaishali.-Appellant
Versus

1. The State of Bihar. Respondent

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Appearance :

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

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 23-08-2018

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 19.03.2018 in A.B.P. No.427 of 2018 passed by the learned Additional Sessions Judge-1st, Vaishali at Hajipur in connection with Bidupur P.S.Case No. 377 of 2017 registered under Sections 341,323,504,447,307,506,34 of the Indian Penal Code as well as under Sections 3(2)(E) of the Scheduled Castes and Scheduled Tribes Act.

For dispute relating to supply of toddy, the appellant and others abused to the informant and co-accused-Punakaba Rai allegedly assaulted, causing injury at the stomach of the informant.

Submission is that no specific overt-act is alleged against the appellant and there is no injury report available with



the case diary.

Learned counsel for the State submits that no other eye witness has supported the prosecution case before the police.

Considering the aforesaid fact, 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 both bailors shall be resident of territorial jurisdiction of the learned court below 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
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