

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.2753 of 2018

Arising Out of PS.Case No. -332 Year- 2016 Thana -TAJPUR District- SAMASTIPUR

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1. Praveen Kumar Nirala @ Praveen Kumar Roy Son of late Rajendra Prasad Roy
Resident of Village- Chaksikandar, P.S. Tajpur, District- Samastipur.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Bijay Bhushan Prasad, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 27-09-2018

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 29.05.2018 passed by the learned 1st Additional Sessions Judge, Samastipur, in A.B.P. No.1069 of 2018, arising out of Tajpur Police Station Case No.332 of 2016, registered under Sections 341/323/447/384/354/504/120B/34 of the Indian Penal Code and Sections 3(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Appellant allegedly assaulted to the husband of the informant, who is not a member of scheduled caste or scheduled tribe;



rather the informant had entered into a love-marriage with him.

Submission is that husband of the informant is agnate of the appellant.

Considering the aforesaid facts as well as statement of the appellant 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 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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