

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3607 of 2018

Arising Out of PS. Case No.-61 Year-2014 Thana- SC/ST District- Banka

Mithilesh Kumar Son of Deo Narayan Prasad, R/o Mangal Vati, Gulab Bagh,
Purandaha, Near St. Marrys Girls High School, P.S.-Deoghar, Jharkhand,
presently posted as District Welfare Officer, Araria. .. Appellant/s
Versus

The State Of Bihar ... Respondent/s

Appearance :

For the Appellant/s : Mr. Avanish Kumar Singh, Adv
For the Respondent/s : Mr. Sri Sadanand Paswan, SPP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 13-12-2018

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 04.07.2018 in A.B.P. No.790 of 2018 arising out of SC/ST P.S.Banka Case No.61 of 2014, G.R.No.2157 of 2014 passed by the learned Additional Sessions Judge-1, Banka registered under Sections 109,110,111,119,120(B),420,166,171(E) of the Indian Penal Code as well as under Sections 3(1)(x),4/8 of the Scheduled Castes and Scheduled Tribes Act.

The appellant is District Welfare Officer. The informant had gone to the office of the appellant to enquire about the status of scholarship for his brother. The Nazir and the Head Clerk allegedly abused him by taking caste name. When the informant complained to the



appellant, the appellant did not take any action.

Appellant has got no such criminal antecedent.

Considering the aforesaid material, 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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