

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1521 of 2018

Arising Out of PS.Case No. -62 Year- 2017 Thana -SC/ST District- SITAMARHI

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1. Ram Lovit Singh, son of Late Sahdev Singh, resident of Village- Muradpur Narkatiya, P.S.- Majorganj, District- Sitamarhi.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

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

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 03-08-2018

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 06.04.2018 in A.B.P. No.606 of 2018/159 of 2018 passed by the learned 1st Additional District and Sessions Judge-cum-Special Judge, SC/ST Act, Sitamarhi in connection with Sitamarhi SC/ST P.S.Case No. 62 of 2017, G.R.No.3009 of 2017 registered under Sections 341,323,504,506 of the Indian Penal Code as well as under Sections 3(I)(S) of the Scheduled Castes and Scheduled Tribes Act.

The children of two families had quarreled in the school. The ward of the appellant called him and appellant allegedly committed abuse and assault against another boy in the school itself.



Submission is that no one from the school has supported the allegation before the police which would be evident from the case diary. False and concocted allegation is there for some village disputes. The offences of the Indian Penal Code alleged are bailable.

Considering the facts 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 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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