

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.2809 of 2018

Arising Out of PS.Case No. -77 Year- 2018 Thana -SALKHUA District- SAHARSA

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1. Subodh Yadav @ Subodh Kumar Suman, Son of Late Kari Yadav, Resident of
Village- Khurasan, Police Station- Salkhua (O.P. Banma Itahari), District- Saharsa.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr.Viveka Nand Singh, Adv

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 30-08-2018

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 25.06.2018 in A.B.P. No.392 of 2018 passed by the learned 1st Additional Sessions Judge-cum-Special Judge, Incharge, Saharsa in connection with Salkhua (O.P. Banma Itahari) P.S.Case No. 77 of 2018 registered under Sections 341,342,354,334,385,323,504,506 of the Indian Penal Code as well as under Sections 3(i)(r) of the Scheduled Castes and Scheduled Tribes Act.

The appellant is husband of the local Sarpanch. The informant had gone for settlement of his dispute with another person at the residence of the appellant. The other side did not turn up. Thereafter, informant and his family members desired to return back. On that the appellant allegedly abused and



assaulted.

Submission is that just to pressurize false case has been lodged. Appellant has got no criminal antecedent.

Considering the nature of allegation and nature of material available, 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
CAV DATE	NA
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