

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.2893 of 2018

Arising Out of PS.Case No. -279 Year- 2017 Thana -SHEKHPURA District- SEKHPURA

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1. Tuntun Bind @ Sadhu Bind @ Tuntun, Son of Briksh Bind @ Ram Briksh Bind, Resident of Village- Kusumbha Tola (Badhaiya), P.S.- Sheikhpura, District- Sheikhpura.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Rakesh Kumar, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 31-08-2018

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 17.07.2018 passed by the learned 1st Additional Sessions Judge, Sheikhpura, in A.B.P. No.420 of 2018, arising out of Sheikhpura (Kushumbha O.P.) Police Station Case No.279 of 2017, registered under Sections 147/148/149/341/323/325/307/504 of the Indian Penal Code and Sections 3(2)v(a)/3(2)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Specific attribution is there against the appellants of commission of assault for a dispute relating to taking bath on the



public hand pump, where co-accused Binod Bind was already bathing.

Considering the background and nature of allegation, let the appellant, who has got no criminal antecedent, 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
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