

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4114 of 2018

Arising Out of PS. Case No.-76 Year-2018 Thana- HAJIPUR District- Vaishali

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Krishan Kumar Singh, S/o-Late Rajendra Narayan Singh, R/v-Samridhi
Kesari Nagar, 1/12, P.S.-Rajeev Nagar, Distt.-Patna.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Vijay Kumar Sinha, Advocate
For the Respondent/s : Smt. Usha Kumari No-1, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 18-12-2018

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 23.08.2018 passed by the learned Additional Sessions Judge-I-cum-Special Judge (S.C./S.T. Act), Vaishali at Hajipur, in A.B.P. No.1654 of 2018, arising out of Hajipur Town Police Station Case No.76 of 2018, registered under Sections 341/323/504/420/34 of the Indian Penal Code and Section 3(i)(r) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The entire allegation is based for the reason that the appellant was not paying the due wages of the driver, who is complainant of this case.



Submission is that the complainant has been set up by one Vijay Kumar Gupta with whom litigation is going on. Vijay Kumar Gupta is a witness in the present case.

Considering the background and nature of allegation, 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
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