

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3494 of 2018

Arising Out of PS. Case No.-73 Year-2016 Thana- SC/ST District- Purnia

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1. Kailash Jaiswal, S/o Suresh Jaiswal,
 2. Vicky Bhagat @ Vicky Kumar Bhagat S/o Pawan Bhagat @ Pawan Kumar Bhagat , Both R/o Muhalla- Chandan Nagar (Imli Patti) Gunda Chowk, P.S.- Sadar, District- Purnia.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. N. K. Agrawal, Advocate Mr. Diwakar Upadhyaya, Advocate
For the Respondent/s	:	Mr. Sri Sadanand Paswan, SPP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 06-12-2018

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 18.08.2018 passed by the learned 1st Addl. Sessions Judge-cum Special Judge, Purnia, in A.B.P. No.61/18, arising out of S.C./S.T. P.S. Case No. 73 of 2016, registered under Sections 341/323/504/506/34 of the Indian Penal Code and Sections 3(i) (r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Cognizance has been taken for bailable offences of the Indian Penal Code as well as under the provisions of SC/ST



Act against the appellants of this case. The occurrence took place for parking of the vehicle, which caused inconvenience to the appellants. The appellants have stated on oath that they have got no criminal antecedent.

Considering the aforesaid facts, let the appellants, above named, in the event of their 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) each 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 appellants 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 appellants.

Accordingly, the impugned order is set aside and the appeal is allowed.

Mkr./-

(Birendra Kumar, J)

AFR/NAFR	NAFR
CAV DATE	NA
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