

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4005 of 2018

Arising Out of PS. Case No.-214 Year-2017 Thana- BHAGALPUR COMPLAINT CASE
District- Bhagalpur

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Meraj Ansari @ Md. Meraj Ansari Son of Late Md. Kamruddin Resident of
Village-Assandpur Road, Near T.M.B.U. Rekabgunj, P.S. Kotwali, Distt.-
Bhagalpur

... .. Appellant/s

Versus

1. The State of Bihar.
2. Shankar Raut son of Late Sukhdeo Raut Resident of Village-Goradih,P.S.
Goradih,Distt.-Bhagalpur

... .. Respondent/s

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Appearance :

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 17-12-2018

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 17.09.2018 passed by the 3rd Additional Sessions Judge -cum-Special Judge (S.C./S.T. Act), Bhagalpur, in A.B.P. No. 2151 of 2018, arising out of complaint case No. 214 of 2017, registered under Sections 323/504 of the Indian Penal Code and Section 3(i) (x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Entire allegation against the appellant is there for the reason that the appellant being Executive Engineer and competent



authority had removed the complainant, a daily wage worker. The removal is of several other persons also in pursuance of the policy decision of the State Government vide Annexure-2.

Considering the aforesaid facts, 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 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 appellant.

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

(Birendra Kumar, J)

Mkr./-

AFR/NAFR	NAFR
CAV DATE	NA
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