

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.285 of 2019

Arising Out of PS. Case No.-84 Year-2018 Thana- GUTHANI District- Siwan

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Brijesh Singh @ Brajesh Singh @ Brajesh Kumar Singh son of Late Lalji Singh resident of village Tali Bujurg PS Guthni District Siwan

... .. Appellant/s

Versus

The State of Bihar Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Prabhakar Singh
For the Respondent/s : Mr.Usha Kumari 1 (Spp 247)

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 25-01-2019

This is an appeal under Section 14A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer of anticipatory bail dated 15.12.2018 passed by the learned Addl. Sessions Judge-1st -cum-Special Judge, Siwan in ABP No. 2139 of 2018 arising out of Guthni P.S.Case No. 84 of 2018 registered under Sections 323, 324, 341, 354A, 504 and 506/34 of the Indian penal Code and Sections 3(i)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Allegation against the appellant and other accused persons is that they came at the door of the informant and abused him by caste name and also assaulted him.

Submission of learned counsel for the appellant is that for the same occurrence son of the appellant has lodged a case



against the informant and others in which he has received injury and no specific allegation either of abusing by caste name or of assaulting has been mentioned in the FIR against appellant.

Heard learned Spl. P.P also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the appellant, in the event of arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, be released on bail upon furnishing bail bond of Rs. 25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. Sessions Judge-1st -cum-Special Judge, Siwan in ABP No. 2139 of 2018 arising out of Guthni P.S.Case No. 84 of 2018 subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

Accordingly, the appeal is allowed and the impugned order is set aside with respect to him.

(Vinod Kumar Sinha, J)

sujit/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

