

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1081 of 2019

Arising Out of PS. Case No.-3 Year-2019 Thana- SC/ST District- Samastipur

Arbind Thakur, Son of Late Ramchandra Thakur Residence of Village- Gori
Ward No. 3, P.S.- Chakmehsi, District- Samastipur.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Surinder Kumar

For the Respondent/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 10-04-2019

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 16.02.2019 passed by the learned 1st Addl. District and Sessions Judge, Samastipur in ABP No. 419 of 2019 arising out of Samastipur SC/ST P.S.Case No. 03 of 2019 registered under Sections 323, 341, 504 and 506 of the Indian penal Code and Sections 3(i)(r)/3(i)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Allegation against the appellant is that he came at the door of the informant for purchasing cow to her and when she told him to go the house of a villager Sanjay Kumar, upon which appellant abused and assaulted by fists and slaps.

Submission of learned counsel for the appellant is that as a matter of fact earlier the appellant had lodged a case against



co-villagers making complaint about selling of toddy and as such they, in collusion with the informant, got the case lodged against the appellant and the FIR itself shows that the story appears to be improbable.

Heard learned Spl. P.P also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the appellants, 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) each with two sureties of the like amount each to the satisfaction of the learned 1st Addl. Sessions Judge, Samastipur in ABP No. 419 of 2019 arising out of Samastipur SC/ST P.S.Case No. 03 of 2019; 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)

suji/-

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Transmission Date	

