

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4339 of 2018

Arising Out of PS. Case No.-507 Year-2018 Thana- SHERGHATI District- Gaya

Ashutosh Kumar @ Ashutosh Ranjan @ Ashutosh Priyaranjan, Son of
Devnandan Rao, Resident of Village-Amarut, P.S.-Dhobhi, District-Gaya.
... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Deepak Kumar

For the Respondent/s : Mr.Smt Usha Kumari No-1

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 03-01-2019

Heard the parties.

The appellant is apprehending his arrest in connection with Sherghati (Dobhi) P.S.Case No.507 of 2018 , registered for offences punishable under Sections 341, 323, 325, 387, 504, 34 of the Indian Penal Code and Section 3(i) of S.C./S.T. (Prevention of Atrocities) Act.

Allegation as per FIR is that the wife of the appellant is working in the school in which the informant is Headmaster and she used to leave the school in Tiffin itself and when the informant protested about the same he was abused by the appellant and also assaulted by him by taking caste name .

Submission of the learned counsel for the appellant is that the real fact is that the son of the appellant was ill and due to that wife of the appellant demanded leave on which the informant refused to grant leave and for that when the appellant



went to the school to protest about the same, he was assaulted and his statement was recorded in the Hospital where he was under treatment on 6.9.2018, which will appear from Annexure 3 whereas the present case has been lodged on 7.9.2018 though the occurrence has taken place on 4.9.2018.

Heard learned Spl.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the appellant, above named, surrender before the court below within a period of six weeks from the date of order and on surrender he will be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, SC/ST, Gaya in connection with Sherghati (Dobhi) P.S. Case No.507 of 2018, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure, with further condition that he will co-operate in the investigation.

Accordingly, this appeal is allowed and the impugned order dated 6.10.2018 is set aside.

chn/-

U		T	
---	--	---	--

(Vinod Kumar Sinha, J)

