

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1586 of 2019

Arising Out of PS. Case No.-268 Year-2018 Thana- KAUWAKOL District- Nawada

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ANIL KUMAR SRIVASTAVA Son of Late Radha Raman Prasad Resident of
Road No.4c, Vaishali Complex, C.P. Colony, P.S.- Rampur, District- Gaya, the
then Block Development Officer, Kawakol, District- Nawada.

... .. Appellant/s

Versus

The State of Bihar Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Sudhir Kumar Sinha

For the Respondent/s : Mr.Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA

ORAL JUDGMENT

Date : 17-05-2019

Heard learned counsel for the parties.

This appeal under Section 14A(2) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989 has been directed against the order dated 25.02.2019 passed by learned 1st Additional Sessions Judge-I, Nawada in connection with Kawakol P.S. Case No. 268 of 2018 registered under Sections 323, 341 and 504 of the Indian Penal Code and Section 3(X) of SC/ST (POA) Act, whereby the prayer for pre-arrest bail of the appellants has been rejected.

Learned counsel appearing for the appellant submits that the appellant is innocent and has not committed any offence. In fact, complaint case has been lodged after lapse of one month from the date of occurrence without explaining the plausible delay which creates doubt over the prosecution version.



No occurrence as alleged in the complaint has ever took place.
Hence, the appellant may be granted the privilege of pre-arrest
bail.

Considering the facts and circumstances of the case,
let the above named appellants in the event of their surrender
within a period of four weeks be released on bail on furnishing
bail bond of Rs. 25,000/- (twenty five thousand) each with two
sureties of the like amount each to the satisfaction of the learned
1st Additional Sessions Judge -cum- Special Judge, SC/ST Act,
Nawada in connection with Kawakole P.S. Case No. 268 of 2018
subject to the conditions laid down under Section 438(2) of the
Cr.P.C.

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

(Arvind Srivastava, J)

brajesh/-

Uploading Date	
Transmission Date	

