

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2305 of 2019

Arising Out of PS. Case No.-102 Year-1999 Thana- CHOUTARWA District- West
Champaran

=====

Laloo Kohar @ Laloo Pandit Son of Late Ram Lakhan Kohar Resident of
Village- Siswa, P.S.- Chautarwa, District- West Champaran.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

=====

Appearance :

For the Appellant/s : Mr. Brij Kishor Mishra

For the Respondent/s : Mr. Binay Krishna

=====

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

4 16-07-2019 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State.

This is an appeal under Section 14(A)(2) of the
Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act, 1989 (hereinafter in short referred to as the
'SC/ST Act') against the refusal of prayer for bail vide order
dated 04.05.2019 passed by learned 1st Additional Sessions
Judge cum Special Judge, West Champaran at Bettiah in
connection with Chautarwa P.S. Case No. 102 of 1999
registered under Sections 147, 323, 354 & 307 of the Indian
Penal Code and Section 3(x) of the Scheduled Castes and
Scheduled Tribes (Prevention of Atrocities) Act.

This is a case of misuse of privilege of bail.



It is submitted by learned counsel for the appellant that earlier the appellant was on bail but as the appellant did not turn up before the learned Court below on 26.03.2019, the date fixed for defence argument, his bail bond was cancelled. It is further submitted that the appellant was present on each and every date fixed in the case but due to some unavoidable reason he could not turn up on the aforesaid date. He has been languishing in custody since 30.04.2019 and has been sufficiently punished for his default.

Learned Spl. PP for the State opposed the prayer for bail.

In the facts and circumstances of the case, the above named appellant is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 1st Additional Sessions Judge cum Special Judge, West Champaran at Bettiah in connection with Sessions Trial No.213 of 2002, arising out of Chautarwa P.S. Case No. 102 of 1999 with condition that the appellant shall remain present before the learned Court below on each and every date fixed in the case and in case of failure his bail bond shall stand cancelled.



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

Trivedi/-

(Prakash Chandra Jaiswal, J)

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

