

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3526 of 2018

Arising Out of PS. Case No.-222 Year-2018 Thana- BIHIA District- Bhojpur

Sonu Yadav Son of Virendra Yadav @ Birendra Singh, resident of Village-
Dak Bangala Chauk, Bihiya, Police Station- Bihiya, District- Bhojpur.
... .. Appellant/s

Versus

1. The State of Bihar
2. Shashi Kant Kumar (Asst. Electric Engineer), S/o Sri Ramesh Prasad, R/o
village- Kismiriya, P.S.-Fatuha, District- Patna at present posted as Asst.
Electric Engineer, Division Jagdishpur, Bhojpur.
... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Ashok Kumar Singh
For the Respondent/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 04-01-2019 This is an appeal under Section 14(A)(2) of the Scheduled
Castes and Scheduled Tribes (Prevention of Atrocities) Act,
1989 against the refusal of prayer of anticipatory bail dated
24.08.2018 passed by the 1st Additional District Judge, Arrah
in ABP No. 1170 of 2018 corresponding to SC/ST Case No.
143 of 2018 arising out of Bihiya P.S.Case No. 222 of 2018
registered under Sections 307, 323, 325, 341, 353, 504 and 506
of the Indian penal Code and Section 3(i)(r)(s) of the Scheduled
Castes and Scheduled Tribes (Prevention of Atrocities) Act,
1989 .

Allegation as per the FIR is that the appellant abused one
Anup Kumar Sharma and assaulted him also by lathi and danda.

Submission of learned counsel for the appellant is that not



case is made out either under Section 307 Indian Penal Code or under any section of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act and he has falsely been implicated in this case.

Heard learned Spl. P.P also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the appellant, abovenamed, 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 1st Additional District Judge, Arrah in ABP No. 1170 of 2018 corresponding to SC/ST Case No. 143 of 2018 arising out of Bihiya P.S.Case No. 222 of 2018; subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure with further condition that appellant shall co-operate in the investigation and make himself available as and when required by the police and on the event of failure on his part to appear before the police on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail bonds.



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

(Vinod Kumar Sinha, J)

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