

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4284 of 2018

Arising Out of PS. Case No.-286 Year-2018 Thana- LALGANJ District- Vaishali

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Kumod Singh, Son of Late Janeshwar Singh @ Late Jalandhar Singh,
Resident of Village-Sahdullapur, P.S.-Lalganj, District-Vaishali.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Manish Chandra Gandhi

For the Respondent/s : Mr.Sri Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 02-01-2019 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 24.09.2018

passed by the Addl. Sessions Judge 1st, Vaishali at Hajipur in ABP

No. 1779 of 2018 arising out of Lalganj P.S.Case No. 286 of 2018

registered under Sections 323, 341, 379,384,447 and 504/34 of

the Indian penal Code and Sections 3(i)(x) of the Scheduled Castes

and Scheduled Tribes (Prevention of Atrocities) Act, 1989 .

Allegation against the appellant a is that he assaulted the
complainant causing her fractured injury on his leg and also
abused her taking caste name.

Submission of learned counsel for the appellant is that as a
matter of fact, son of the complainant has taken money from the
appellant and when he demanded money back, he has been falsely
implicated and there is nothing on record to show that complainant
has been assaulted only because of her being scheduled caste.



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 Additional Sessions Judge 1st, Vaishali at Hajipur in connection with Lalganj P.S. Case No. 286 of 2018; subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure with further condition that appellants shall co-operate in the investigation and make themselves available as and when required by the police and on the event of failure on their part to appear before the police on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of their bail bonds.

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

(Vinod Kumar Sinha, J)

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