

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4443 of 2018

Arising Out of PS. Case No.-47 Year-2018 Thana- NTPC District- Patna

Vikash Kumar, S/o Pappu Kumar @ Pappu Yadav, Resident of Village- Raily,
P.S.- N.T.P.C. District- Patna.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Vinay Kumar

For the Respondent/s : Mr.Sri Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 17-01-2019

This is an appeal under Section 14(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer of anticipatory bail dated 01.10.2018 passed by the learned Addl. Sessions Judge-IV-cum-Special Judge SC/ST, Patna, in ABP No. 7223 of 2018 arising out of NTPC Case No. 47 of 2018 registered under Sections 147, 148, 149, 307, 323, 504 and 506 of the Indian penal Code and Sections 3(1-r) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 .

Allegation against the appellant is of assaulting the informant by stone and brick-bats.

Submission of learned counsel for the appellant is that FIR itself shows that the occurrence took place with respect to



dispute of *Rasta* and other accused persons have been granted anticipatory bail, considering the allegation, by a co-ordinate Bench of this vide order dated 12.09.2018 passed in Cr.Misc. No. 2988 of 2018.

Heard learned Spl. P.P also.

Having heard both sides and in view of the facts and circumstances, as stated above, let 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, directed to 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 Addl. Sessions Judge-IV-cum-Special Judge SC/ST, Patna, in ABP No. 7223 of 2018 arising out of NTPC Case No. 47 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 with respect to them.

(Vinod Kumar Sinha, J)

sujit/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	
Transmission Date	

