

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3387 of 2019

Arising Out of PS. Case No.-18 Year-2019 Thana- MAGADH UNIVERSITY District- Gaya

SUNIL KUMAR @ SUNIL KUMAR SUMAN Son of Shivnandan Prasad @
Narendra Kumar Resident of Village - Chhotki Babhni, P.S.- Magadh
University, Dist.- Gaya.

... .. Appellant/s

Versus

THE STATE OF BIHAR

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Arun Kumar No. 1
For the Respondent/s : Mr.Binay Krishna

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

3 17-09-2019 Heard learned counsel for the appellant and learned
Spl. PP for the State.

This is an appeal under Section 14(A)(2) of the SC/ST
Act against the refusal of prayer for anticipatory bail vide order
dated 11.06.2019 passed by learned Exclusive Special Judge
SC/ST Act, Gaya in Magadh University P.S. Case No. 18 of
2019 registered under Sections 323, 341, 379, 354, 504 and
506/34 of the Indian Penal Code and Section 3(1)(r)(w) of the
SC/ST Act.

Over row of cooking food outside the house by the
wife of the informant, appellant Sunil Kumar slated her in the
name of her caste and also assaulted her catching hold her hair.
Lalit Prasad pulled her saree while Rahul Kumar assaulted



father of the informant by means of leg and fist.

It is submitted by learned counsel for the appellant that no such occurrence as alleged ever took place. As a matter of fact, father of the informant had sold out land to Punam Sinha and wife of the appellant has purchased said land from said Punam Sinha and value of the land has escalated, hence informant has lodged this false and frivolous case against the appellant to extract money from him. None has sustained any injury in the occurrence. Appellant has been languishing in custody since 31.05.2019. Hence the appellant may be enlarged on bail.

On the other hand, learned Spl. PP for the State and learned counsel for the informant opposing the bail petition submitted that the appellant assaulted the wife of the informant by catching hold her hair and also slated her in the name of her caste and appellant is also having criminal antecedent as two more criminal cases have been lodged against the appellant, hence he does not deserve bail.

In the facts and circumstances of the case, the above named appellant is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the



learned Exclusive Special Judge, SC/ST Act, Gaya in
connection with Magadh University P.S. Case No. 18 of 2019.

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

(Prakash Chandra Jaiswal, J)

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