

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3768 of 2018

Arising Out of PS. Case No.-142 Year-2018 Thana- SHAHKUND District- Bhagalpur

Amar Kumar Son of Bindeshwari Prasad Singh Resident of Village
Amkhoriya, P.S. Sajour, District- Bhagalpur.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Praveen Kumar Agrawal
For the Respondent/s : Mr.Sri Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 07-01-2019 Heard the parties.

The appellant is apprehending his arrest in connection with Shakund (Sajour) P.S.Case no.142 of 2018 , registered for offences punishable under Sections 341, 323, 325, 307, 34 of the Indian Penal Code and Section 3(i)(v), 3(2), 3(2)(ve) of S.C./S.T. (Prevention of Atrocities) Act.

Allegation against the appellant and the other accused persons is of coming variously armed and assaulted the informant causing injury.

Submission of the learned counsel for the appellant is that the FIR itself shows that there was dispute from before and no specific allegation has been attributed. Neither there is any allegation of abusing by taking caste name nor the informant was assaulted knowing the fact that he belongs to the scheduled



caste.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the appellant, above named, surrender before the court below within a period of six weeks from the date of order and on surrender he will be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Shakund (Sajour) P.S. Case no.142 of 2018 in connection with IIIrd Additional Sessions Judge-cum-Special Judge, Bhagalpur, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure with further condition to co-operate in the investigation.

Accordingly, this appeal is allowed and the impugned order dated 29.8.2018 is set aside.

(Vinod Kumar Sinha, J)

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