

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4413 of 2019

Arising Out of PS. Case No.-30 Year-2019 Thana- KOPA District- Saran

ANKUR SINGH @ ANKUR KUMAR SINGH Son of Late Hira Singh
Resident of Village - Kumna, P.S.- Koppa, District - Saran.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Gopal Govind Mishra
For the Respondent/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 16-12-2019 Appellant seeks pre-arrest bail in connection with Koppa P.S.Case No. 30 of 2019 registered for the offences punishable under Sections 341, 323, 504, 379, 34 of the Indian Penal Code and Section 3 (r)(s) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

As per FIR allegation against the accused persons, including the appellant is that they abused the informant by taking caste name while he was going to market to purchase wooden cot and he was also assaulted by them.

Submission of learned counsel for the appellant is that there is general allegation of assault and so far allegation of abuse is concerned, there is no mention in the FIR that he was abused in public view, as such no offence under SC/ST Act is made out.



Heard learned Special P.P., who has opposed the prayer for pre-arrest bail of the appellant.

Having heard both sides and in the facts and circumstances, as stated above, let appellant, named above, surrender in the court below within a period of six weeks from the receipt of this order and on surrender he shall be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge-I-cum-Special Judge (ST/ST Act), Saran, in connection with Koppa P.S. Case No. 30 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and further conditions are that one of the bailors of the appellant shall be a local person having sufficient immovable properties within the jurisdiction of court concerned.

Accordingly, this appeal is allowed and the impugned order dated 26.8.2019 is set aside.

(Vinod Kumar Sinha, J)

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