

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4338 of 2018

Arising Out of PS. Case No.-35 Year-2017 Thana- SC/ST District- Saran

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Kumar Vivek Bhushan S/o Pasupati Sah, resident of Village- Bazar
Sammittee, P.S. Chapra Town, District- Saran at Chapra.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Rajani Kumari
For the Respondent/s : Mr.Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 03-01-2019 At the very outside in view of the assertion made in
the petition, the limitation is condoned.

Heard the parties.

The appellant is apprehending his arrest in
connection with SC/ST Act P.S.Case No.35/17, registered for
offences punishable under Sections 341, 323, 504, 506 of the
Indian Penal Code and Section 3(i)(r)3(2)(va) of S.C./S.T.
Prevention of Atrocities Act.

Allegation as per FIR is that the informant
was working with the appellant but later on he got job and
demanded wages but he was abused by taking caste name and
also assaulted.

Submission of the learned counsel for the appellant
is that there is delay of seven days in lodging the FIR and



further no such occurrence has taken place and the appellant has falsely been implicated in this case.

Heard learned Spl.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 1st Addl. Sessions Judge, Saran at Chapra in connection with Saran SC/ST P.S. Case No.35 of 2017 subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

Accordingly, this appeal is allowed and the impugned order dated 19.7.2018 is set aside.

(Vinod Kumar Sinha, J)

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