

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4901 of 2019

Arising Out of PS. Case No.-328 Year-2019 Thana- DHANARUA District- Patna

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RUDHI PRASAD Son of Vijay Prasad @ Vijay Yadav Resident of Village -
Karai Parsurai, P.S.- Karai Parsurai, Distt - Nalanda.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Anil Kumar Singh
For the Respondent/s : Mr.Binay Krishna

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

ORAL ORDER

2 18-11-2019 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State.

This is an appeal under Section 14(A)(2) of the
Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act, 1989 (hereinafter in short referred to as the
'SC/ST Act') against the refusal of prayer for bail vide order
dated 18.10.2019 passed by learned Additional Sessions Judge-
XX-cum- Special Judge (SC/ST Act), Patna in connection with
Special Case No.377 of 2019 arising out of Dhanarua P.S. Case
No. 328 of 2019 registered under Sections 341, 342, 354, 323,
379 of the Indian Penal Code and Section 3(i) (r) (s) of the
Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act.



While the informant was proceeding to bank along with her child in her lap appellant tried to snatch her child and slapped her. In the meantime, passersby reached there and caught hold the appellant and handed him over to the police.

It is submitted by learned counsel for the appellant that the appellant has no concern with the aforesaid occurrence. As a matter of fact he was passing through the place of occurrence after meeting with his relative and was apprehended by the police due to suspicion while the real culprit managed to escape. Informant has not sustained any injury in the occurrence. No offence under SC/ST Act is made out against the appellant. Appellant has been languishing in custody since 09.08.2019.

Learned Spl. PP for the State opposed the prayer for bail.

In the facts and circumstances of the case, the above named appellant is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-XX-cum- Special Judge (SC/ST Act), Patna in connection with Special Case No.377 of 2019 arising out of Dhanarua P.S. Case No. 328 of 2019.



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

(Prakash Chandra Jaiswal, J)

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