

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4507 of 2018

Arising Out of PS. Case No.-185 Year-2018 Thana- SHAHKUND District- Bhagalpur

Vivekanand Yadav @ Viveka Yadav@ Vishu Yadav Son of Chandeshwari Yadav, resident of Village- Kolhachak, P.S. Shahkund Sajour, District- Bhagalpur.

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Davendra Kumar Pandey

For the Respondent/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 25-01-2019

By way of this memo of appeal, preferred under Section 14(A) of the Scheduled Caste/Scheduled Tribes (Prevention of Atrocities) Act, 1989, appellant seeks for setting aside the order dated 4.10.2018 passed in ABP No.2261 of 2018 arising out of Shahkund (Sajour) P.S. Case No.185 of 2018, for the offences punishable under Sections 341, 323, 325 of the Indian Penal Code and Section 3(1)(r)/3(2)(VA) of SC/ST Act by the learned 3RD Addl. District and Sessions Judge cum Special Judge (SC/ST court) Bhagalpur, whereby and where-under, the appellant's application for grant of anticipatory bail has been rejected.

Allegation against the appellant is that he assaulted by *lathi* to the informant.



Submission of the learned counsel for the appellant is that the injury report is not available on the record and the case is false and concocted.

Hard learned Special P.P. also.

Having heard both sides, considering the facts and circumstances of the case, this appeal is allowed and the impugned order is set aside, let the appellant, above named, in the event of his arrest or surrender before the learned special judge within a period of six weeks from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs.25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned 3rd Addl District and Sessions Judge cum Special Judge (SC/ST Court) Bhagalupr in connection with Shahkund (Sajour) P.S.Case No.185 of 2018 subject to condition as laid down under Section 438 of Cr.P.C.

(Vinod Kumar Sinha, J)

chn/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	28.1.2019
Transmission Date	28.1.2019

