

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL APPEAL (SJ) No.4217 of 2018**

Arising Out of PS. Case No.-490 Year-2018 Thana- KANKARBAG District- Patna

=====

Ajay Lulha @ Ajay Gope Son of Late Vinda Ray Resident of Mohalla-Ashok  
Nagar Road No.13, Police Station-Kankarbagh, Distt.-Patna

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

=====

**Appearance :**

For the Appellant/s : Mr.Raj Krishan Jha  
For the Respondent/s : Mr.Binay Krishna

=====

**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL JUDGMENT**

**Date : 01-04-2019**

Heard the parties.

The appellant is apprehending his arrest in connection with Spl. Case No.290 of 2018 arising out of Kankarbagh P.S.Case No.490 of 2018 , registered for offences punishable under Sections 341, 323, 324, 504, 506, 379, 34 of the Indian Penal Code and Section 3(1)(r) of SC/ST (Prevention of Atrocities) Act.

Allegation as per the FIR is that there is scuffle between the parties with respect to playing of cricket and thereafter the appellant along with the others came and assaulted the informant by bat and when the informant came to enquire about the same at the house of the appellant he was again assaulted by 'Rod' and 'Talbar' and snatched away Rs.26,000/-/- .

Submission of the learned counsel for the appellant is that the FIR itself shows that the occurrence took place with respect to playing cricket and just to make the case serious the allegation of abusing by caste name and snatching of Rs.26,000/- has been made.



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, in the event of arrest or surrender before the court below within a period of six weeks from the date of order 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 Addl. District and Sessions Judge -IVth -cum-Special Judge, SC.ST Act, Patna in connection with Spl. Case No.890 of 2018 arising out of Kankarbagh P.S.Case no.490 of 2018, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With the aforesaid observation, this appeal is allowed and the impugned order is set aside.

**(Vinod Kumar Sinha, J)**

chn/-

|                   |  |
|-------------------|--|
| AFR/NAFR          |  |
| CAV DATE          |  |
| Uploading Date    |  |
| Transmission Date |  |

