

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1309 of 2020

Arising Out of PS. Case No.-98 Year-2018 Thana- MARANCHI District- Patna

Sonu Sagar @ Bholi @ Sonu Kumar @ Sann Kumar Sagar son of Late Navin
Singh Resident of Village - Sherpur, P.S. - Maranchi, District - Patna.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Murari Narain Chaudhary, Advocate

For the Respondent/s : Mr.Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

2 01-06-2020 Heard learned counsel for the appellant and learned
APP for the State through video conferencing.

The instant appeal has been preferred by the appellant against the order dated 03.03.2020 passed in Special Case (SC/ST) no. 488 of 2018, arising out of Maranchi P.S. Case no. 98 of 2018 registered under sections 147, 148, 341, 323, 337,338 and 354 of the Indian Penal Code and section 3(i) (r) of the SC/ST (Prevention of Atrocities) Act, whereby the prayer for regular bail of the appellant was rejected and for grant of regular bail to the appellant in the above case.

As per allegation in the FIR it is stated that the appellant abused the informant by taking his caste name, misbehaved and also assaulted him and other members of the family.

It is submitted by learned counsel for the appellant



that in the instant case, along with others, the appellant had been granted anticipatory bail vide order dated 2.1.2019 (Annexure-1) passed in Cr. Appeal (SJ) no. 4317 of 2018 but unfortunately he could not surrender on time. His prayer for modification of order dated 2.1.2019 was rejected by order dated 19.2.2020 (Annexure 1/A) passed in Cr. Misc. No. 1619 of 2020 and the appellant was directed to surrender in the Court below and pray for regular bail. It is submitted that accordingly the appellant surrendered in the Court below on 3.3.2020 and filed a surrender cum bail petition, however, the same was rejected and as such the instant appeal. It is submitted by learned counsel for the appellant that from the order dated 2.1.2019 (Annexure 1) it would transpire that this Court had found the case fit for grant of anticipatory bail to the appellant. It is further submitted that the appellant has remained in custody since 3.3.2020 and as such he be enlarged on bail.

The appeal is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances stated above, the Court is inclined to allow this appeal. The order dated 03.03.2020 passed in Special Case (SC/ST) no. 488 of 2018 (arising out of Maranchi P.S. Case no. 98 of 2018) by the



learned Additional Sessions Judge VIIIth -cum-Special Judge, SC/ST (POA) Act, Patna is hereby set aside and the appeal is allowed. The appellant is directed to be enlarged on bail in connection with Special Case (SC/ST) no. 488 of 2018 (arising out of Maranchi P.S. Case no. 98 of 2018) on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge VIII -cum-Special Judge, SC/ST (POA) Act, Patna.

(Partha Sarthy, J)

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