

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4845 of 2019**

Arising Out of PS. Case No.-10 Year-2019 Thana- SC/ST District- Vaishali

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YOGENDRA PASWAN, Son of Chandra Dev Paswan, Resident of Village-
Ruddi Pokhar Ghatro, P.S.- Lalganj, District- Vaishali.

... .. Appellant/s

Versus

1. The State of Bihar
2. AIta Devi W/o- Ramdev Paswan, Resident of Village- Ghatro, P.S.-
Kartahan, District- Vaishali.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Ashok Kumar Singh, Advocate
For the Respondent/s : Mr. Binay Krishna, Spl. P.P.

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**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT**

Date : 29-01-2020

Heard learned counsel for the parties.

This is an appeal under Section 14-A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for anticipatory bail vide order dated 05.09.2019 in A.B.P. No. 1987 of 2019 passed by the learned 1st Additional Sessions Judge-cum-Special Judge, Hajipur at Vaishali in connection with SC/ST Hajipur P.S. Case No. 10 of 2019 registered under Sections 341, 323, 427, 448, 379, 504/34 of the Indian Penal Code as well as Sections 3(i)(r)(s)(G)(F)/3(2)(Va) of the SC/ST Act.

Co-accused Ram Pravesh Singh and Raghvendra Kumar @
Lal Babu allegedly abused the informant by taking caste name.



Appellant was also along with other. However, no overt act is alleged against the appellant. Appellant is also a member of the scheduled caste.

Learned Special Public Prosecutor opposed the prayer for anticipatory bail.

Considering the facts aforesaid, let the appellant, above named, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs.20,000/- (rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending in connection with the aforesaid case, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as subject to the following conditions:-

(a) The appellant shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the appellant.

(b) Both the bailors shall be resident of the territorial jurisdiction of the learned court below.

(c) The appellant shall not leave the county without permission of the learned trial court.



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

(Birendra Kumar, J)

Kundan/-

AFR/NAFR	N.A.
CAV DATE	N.A.
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