

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5670 of 2019

Arising Out of PS. Case No.-458 Year-2019 Thana- RAJIVNAGAR District- Patna

Vishal Kumar Son of Dilip Kumar Resident of Kankarbagh Slam Area, P.O.-
and P.S.- Kankarbagh, District - Patna.

... .. Appellant/s

Versus

The State of Bihar Through The Special P.P., S.C. and S.T. (Prevention of
Atrocities) Act Bihar

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Yogesh Chandra Verma, Sr.Adv
	:	Mrs. Priyanka Singh, Adv
For the Respondent/s	:	Mr.Sadanand Paswan, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 26-02-2020 Heard learned counsel for the parties.

This is an appeal under Sections 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, against refusal of the prayer for anticipatory bail by order dated 14.10.2019 in A.B.P. No.7780 of 2019 arising out of Rajiv Nagar P.S.Case No.458 of 2019(Special Case No.432 of 2019) passed by the learned Additional Sessions Judge-XX-cum-Special Judge, SC/ST, Patna registered under Sections 385,387,504,506/34 of the Indian Penal Code as well as under Sections 3(i)(r)(s) of the Scheduled Castes and Scheduled Tribes Act.

Informant is a Class-IV employee of Bihar State



Housing Cooperative Federation Ltd. Allegation is that FIR named accused including the appellant were attempting to make illegal construction on the land of Housing Board. When the informant forbade, they committed assault and abuse.

Submission is that the informant was no authority to take any action on behalf of the Housing Board nor there is material to substantiate that the appellant had knowledge about the caste of the informant.

Finding substance in the submission 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 (Twenty Thousand) with two sureties of the like amount each to the satisfaction of 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 and further the appellant shall fully cooperate with the investigation/trial of the case and also the appellant shall not leave the country without permission of the learned Trial Court, failing which the court below shall be at



liberty to cancel the bail bond of the appellant.

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

(Birendra Kumar, J)

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