

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.32 of 2020

Arising Out of PS. Case No.-58 Year-2019 Thana- SC/ST District- Saran

=====

VIJAY KUMAR @ VIJAY KUMAR GUPTA S/o - Vishwanath Prasad Gupta
Resident of Mohalla- Jama Maszid, P.O. and P.S.- Sahebganj, Distt- Chapra -
Saran 84301.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

=====

Appearance :

For the Appellant/s : Mr. Anil Kumar Singh, Advocate
For the Respondent/s : Mr. Binay Krishna, SPP

=====

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 30-01-2021 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 against the refusal of prayer for anticipatory bail vide order dated 20.11.2019 passed by the learned Additional Sessions Judge-I, Chapra, Saran, in connection with SC/ST Police Station Case No.58 of 2019, registered under Sections 346/323/353/427/504/506/34 of the Indian Penal Code and Sections 3(i) (r)(s)/3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The informant was distributing the training certificates to different trainees. The appellant and co-accused



asked for certificates of other trainees also which was denied by the informant and for that reason the appellant allegedly committed abuse and assault against the informant.

Learned counsel for the appellant submits that the alleged occurrence did not take place for the reason that the appellant was a member of scheduled caste; rather for some different reason there is case and counter case between the parties. The appellant has got no criminal antecedent.

Considering the entire facts aforesaid, let the appellant, above named, deserve protection of law, 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 bail on furnishing bail bonds of Rs.20,000/- (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 condition that 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.

The appellant shall not leave the country without



permission of the trial Court.

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

(Birendra Kumar, J)

Mkr./-

U		T	
---	--	---	--

s

