

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.507 of 2020

Arising Out of PS. Case No.-23 Year-2019 Thana- GAURICHAK District- Patna

KARU @ PARMOD SINGH @ PRAMOD KUMAR Son of Mithlesh Singh,
Resident of Village - Bibipur, P.S.- Gaurichak, District - Patna

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Suryadeo Prasad Singh

For the Respondent/s : Ms.Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 24-02-2021 Heard both sides.

The appellant filed this appeal under Section 14A(2) of the SC/ST (POA) Act against the order dated 06.09.2019 passed by learned Special Judge, SC/ST Act, Patna by which the learned Special Judge rejected the prayer for anticipatory bail of the appellant in Gaurichak P.S. Case No.23 of 2019 registered under Sections 447, 341, 323, 307, 504, 506 and 34 of the I.P.C. and under Section 3(i)(s) of the SC/ST (POA) Act corresponding to Special Case No.23 of 2019.

Learned counsel for the appellant submits that the appellant is of course named in the F.I.R. but no specific allegation is made against the appellant. Mithlesh Singh is alleged to have exhorted. On such, Ajit Yadav is alleged to have assaulted the informant by the butt of the pistol causing injury on his head. Ajit Yadav @ Napali @ Nepali Yadav has already



been granted anticipatory bail by a coordinate bench of this Court vide order dated 20.06.2019 passed in Cr.Appeal (SJ) No.1760 of 2019. The case of the appellant stands on better footing.

Learned Special P.P. did not dispute this fact.

Having considered the facts that no specific allegation is made against the appellant and Ajit Yadav against whom the informant made allegation of assault by butt of the pistol has already been granted anticipatory bail, the appellant above named, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, SC/ST Act, Patna in connection with Special Case No.23 of 2019 arising out of Gaurichak P.S. Case No.23 of 2019.

Accordingly, the order dated 06.09.2019 is set aside.
The appeal stands allowed.

(Prabhat Kumar Jha, J)

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