

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.978 of 2020

Arising Out of PS. Case No.-31 Year-2020 Thana- JAKKANPUR District- Patna

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VIKASH KUMAR @ VIKASH PRASAD S/o- Late Krishna Prasad R/v- Old
Jakkanpur, P.S.- Jakkanpur, District- Patna.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Vijay Kumar Sinha

For the Respondent/s : Mr.Usha Kumari 1

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 12-02-2021 Learned counsel for the appellant is directed to

remove the defect(s), as pointed out by the office, within a

period of four weeks.

Heard learned counsel for the appellant and learned
APP for the State.

The matter relates to grant of anticipatory bail to the
appellant in connection with a case registered for the offences
under Sections 341, 323, 325, 379 of the Indian Penal Code and
Sections 3(1)(r)(s) of the SC/ST (Prevention of Atrocities) Act,
1989.

The allegation against the accused persons is of
abusing and assaulting the informant and his son.

It has been submitted on behalf of the appellant that



the appellant has got no criminal antecedent and there is no allegation of tampering of witnesses alleged against the appellant. The appellant has falsely been implicated in the present case due to previous enmity. No grievous injury is said to have been caused in course of occurrence. For a petty reason the alleged occurrence is said to have taken place. The alleged occurrence has not taken place within public view. Hence no offence under the SC/ST Act is attracted in the present case.

On behalf of the State, it is submitted that the appellant is named in the F.I.R.

In view of the aforesaid facts and circumstances, the order dated 20.01.2020, passed by the learned Additional Sessions Judge VIII-cum-Special Judge, SC/ST Act, Patna vide A.B.P. No.682 of 2020 in connection with Special case No.27 of 2020 arising out of Jakkanpur P.S. case No.31 of 2020, is set aside. The criminal appeal is allowed.

Accordingly, the appellant, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge VIII-cum-Special Judge, SC/ST Act,



Patna in connection with Special ccase No.27 of 2020 arising
out of Jakkanpur P.S. case No.31 of 2020.

(Sudhir Singh, J)

Narendra/-

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