

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1774 of 2020

Arising Out of PS. Case No.-8 Year-2020 Thana- VIDYAPATINAGAR District- Samastipur

ANKIT KUMAR @ ANKIT KUMAR SINGH Son of Late Navin Kumar Singh Resident of Village- Harpur Bochha, P.S.- Vidyapati Nagar, District- Samastipur.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Jay Ram Prasad, Adv.

For the Respondent/s : Mr. Binay Krishna, Spl.PP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 01-02-2021 Heard the learned counsel for the appellant and Sri Binay Krishna, learned Special P.P. for the State.

This is an appeal under Section 14(A)(2) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989 against the order dated 07.03.2020 passed by the learned Additional Sessions Judge 1st, Samastipur in Anticipatory Bail Petition No. 619 of 2020 in connection with Vidyapati Nagar P.S. Case No. 8 of 2020 registered under Sections 147, 148, 149, 307, 323, 341, 354B of the Indian Penal Code and Sections 3(i)(r)(s)(w)/3(2)(Va) of the Scheduled



Caste and Scheduled Tribal P.O.A. Act, whereby and whereunder the prayer of the appellant for grant of anticipatory bail has been refused.

The allegation is upon the appellant and one co-accused person, namely, Kundan Kumar of having assaulted the son, daughters and other relatives of the informant.

The learned counsel for the appellant has submitted that the appellant is innocent, he has been falsely implicated in the present case and he is having a clean antecedent. The learned counsel for the appellant has further submitted that the injuries found on the injured persons are not serious in nature and the fact is that the said co-accused person, namely, Kundan Kumar, has already been granted bail by a coordinate Bench of this Court vide order dated 01.6.2020 passed in Criminal Appeal (SJ) No. 1045 of 2020.

Per contra, the learned Special P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by



the learned counsel for the appellant and taking into account the materials available on record as also considering the parity of the case of the appellant with that of the co-accused person, who have already been granted bail by a coordinate Bench of this Court, apart from the fact that the injuries found on the injured persons are not very serious in nature, I deem it fit and proper to admit the appellant to the privilege of anticipatory bail.

Accordingly, the appellant, above named, is directed to be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge 1st, Samastipur in connection with Vidhyapati Nagar P.S. Case No. 8 of 2020 subject to the conditions as stipulated under Section 438(2) of the Code of Criminal Procedure.

Consequently the impugned order dated 07.03.2020 passed by the learned Additional Sessions Judge 1st, Samastipur in Anticipatory Bail Petition No. 619 of 2020 in connection with



Vidyapati Nagar P.S.Case No. 8 of 2020 is set aside.

The Appeal stands allowed.

(Mohit Kumar Shah, J)

Ajay/-

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

