

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2175 of 2020

Arising Out of PS. Case No.-278 Year-2020 Thana- AGAMKUAN District- Patna

Rabindra Malakar @ Ravindra Kumar Ravi S/o Brij Bihari, Resident of
Village-Kumrar Baithka Maligali, P.S.-Agamkuan, District-Patna.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Dr. Anand Kumar
For the Respondent/s : Mr. A.G.

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 26-02-2021 Heard learned counsel for the appellant and learned
counsel for the State.

The appeal is admitted.

This is an appeal under section 14 (A) (2) of the Scheduled Castes and Schedules Tribes (Prevention of Atrocities) Act, 1989, against the refusal of prayer for bail vide order dated 25.08.2020 passed by Special Judge, SC/ST Act, Patna in connection with Agamkuan P.S. Case No. 278 of 2020 registered for offence punishable under sections 323, 448, 341, 504/34 of the Indian Penal Code and sections 3 (1) (r), 3(1) (s) SC/ST (POA) Act, whereby and whereunder the prayer for anticipatory bail made on behalf of the appellant has been rejected.

Allegation has been made that dispute arose between



the parties on account of throwing of the ball in the courtyard of the informant.

Looking to the nature of allegation, the impugned order dated 25.08.2020 is set aside and the appellant above named, in the event of arrest or surrender before the court below within six weeks from today, is directed to be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of Special Judge, SC/ST Act, Patna in connection with Agamkuan P.S. Case No. 278 of 2020, subject to the condition that one of the bailors of the appellant shall be his close relative. The appellant will not induce any witness or tamper with the evidence. The appellant shall cooperate in the disposal of trial and make himself available as and when required by the court. In case of failure on two consecutive dates without any valid reason, the court below shall be at liberty to cancel the bail bonds of the appellant.

Accordingly, this appeal is allowed.

(Shivaji Pandey, J)

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