

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.205 of 2018

Arising Out of PS.Case No. -287 Year- 2009 Thana -AURANGABAD TOWN District-
AURANGABAD

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1. Surendra Mishra aged about 57 years, Son of Shri Mahesh Mishra, Resident of Village- Rudrapur, Police Station- Andhra Thadhi, District- Madhubai, At present Residing at Mishra Bhawan, Street No. 36/K, Hospital Road, Police Station- Uttarpara, District- Hugli (West Bengal).

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Vibhuti Ranjan Sonvadra, Advocate

For the Respondent/s : Mr. Sadanand Paswan, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 13-03-2018

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 bail by the learned 1st Additional Sessions Judge-cum-Special Judge (S.C./S.T. Act), Aurangabad, in connection with Aurangabad (Town) Police Station Case No.287 of 2009 registered under Sections 406/420/34 of the Indian Penal Code and Section 3(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

It appears that appellant was earlier allowed anticipatory bail by a coordinate Bench of this Court in Cr. Misc. No.33172 of 2010 vide Annexure-4. However, the appellant



could not furnish bail bond within time. Later on, the appellant was arrested. Hence, this appeal for regular bail.

Considering the aforesaid fact, let the appellant, above named, be released on bail on furnishing bail bond 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, with 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.

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

(Birendra Kumar, J)

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