

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.882 of 2018

Arising Out of PS.Case No. -225 Year- 2015 Thana -LAXMIPUR District- JAMUI

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1. Anil Das @ Anil Kumar Das S/o Dasrath Das, R/o Mohalla- Patna City,
P.S.- Mehdiganj, District- Patna. At present Mohalla- Anayath Ara,
P.S.- Nawada, District- Bhojpur.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Umesh Prasad, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 10-04-2018

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 anticipatory bail by the learned 1st Additional Sessions Judge, Jamui, in connection with Laxmipur (Gidhaur) Police Station Case No.225 of 2015 registered under Section 302/34 of the Indian Penal Code and Section 3(i)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The appellant is not named in the FIR of the occurrence of murder; whereas some others are named. Name of the appellant surfaced in the confessional statement of co-accused Gujary Devi @ Gunjary Devi, who has already been allowed bail



by a coordinate Bench of this Court. The aforesaid fact would be evident from the impugned order also.

Considering the fact that there is no substantial material against the appellant to compel him to go to jail, let the appellant, above named, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bonds 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, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as 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 stands allowed.

(Birendra Kumar, J)

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