

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2866 of 2018

Arising Out of PS. Case No.-273 Year-2015 Thana- MADHUBANI TOWN District-
Madhubani

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Ganesh Mishra, Son of Late Bishwambhar Mishra, Resident of village -
Sohrai, P.S. - Sakari, District - Madhubani.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Gagan Deo Yadav
For the Respondent/s : Mr. Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 31-08-2018

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 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for anticipatory bail vide order dated 24.05.2018 passed by the learned 1st Additional Sessions Judge, Madhubani in A.B.P. No.337 of 2018, arising out of Town Police Station Case No.273 of 2015 registered under Sections 147, 149, 341, 323, 332, 333, 224, 225, 307, 353, 427, 440, 504 and 506 of the Indian Penal Code and Sections 3 (i) (x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

It appears that similar situated co-accused, *Bhawesh Mishra* has already been allowed anticipatory bail by a co-



ordinate bench of this Court vide order dated 21.12.2015 passed in Criminal Miscellaneous No.54974 of 2015.

Hence, 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 bond of Rs.20,000/- (Rupees 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 conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the appellant shall fully co-operate 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 this appeal stands allowed.

(Birendra Kumar, J)

abhishek/-

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Uploading Date	
Transmission Date	

