

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.2925 of 2018

Arising Out of PS.Case No. -538 Year- 2011 Thana -SAHARSA District- SAHARSA

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1. Shankar Jha, S/o Sri Mohan Jha, R/o Vill.- Sripur, P.S. Pratap Ganj, Dist.- Supaul.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Neeraj Kumar, Adv

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 13-09-2018

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 order dated 07.07.2018 in Saharsa Sadar P.S.Case No.538 of 2011, G.R.No.1909 of 2011 passed by the learned 1st Additional Sessions Judge-cum-Special Judge, Saharsa, registered under Sections 341,323,325,307,34 of the Indian Penal Code, Section 3(x) r of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and Section 27 of the Arms Act.

It appears that the appellant was allowed anticipatory bail in the referred police case by order dated 22.08.2013 passed in Cr.Misc. No.21009 of 2013 by a



Coordinate Bench of this Court vide order at Annexure-1.

However, the appellant could not furnish bail bond in pursuance of that order and was taken into custody.

Perused the impugned order.

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 both bailors shall be resident of territorial jurisdiction of the learned court below and further 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 this appeal stands allowed.

(Birendra Kumar, J)

Nitesh/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	14.09.2018
Transmission Date	14.09.2018

