

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1176 of 2018

Arising Out of PS.Case No. -554 Year- 2015 Thana -KANTI THARMAL POWER District -
MUZAFFARPUR

- =====
1. Alok Singh, S/o Nagendra Singh,
 2. Nagendra Singh, S/o Late Paltan Singh, both are resident of village-
Govind Fulkahan, P.S.- Kanti, District- Muzaffarpur.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Kumari Sujata Sinha, Advocate

For the Respondent/s : Mr. Binay Krishna, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4/ 24-05-2018

Counsel for the appellants submits that appellant

No.2, Nagendra Singh, has been arrested during the pendency of
this appeal.

In view of such, this appeal is dismissed as
infructuous in so far as it relates to appellant No.2-Nagendra
Singh.

Heard counsel for the appellant No.1 and learned
APP for the State.

This is an appeal under Section 14 (A) (2) of the
Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act, 1989, against refusal of prayer for anticipatory
bail in **Kanti P.S. Case No.554 of 2015** instituted under



Section(s) 147, 447, 323, 504, 436, 506 Indian Penal Code and Section 3(i)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Counsel for the appellant No.1 submits that there is general and omnibus allegation against the appellant No.1. Compromise has taken place between the parties. Compromise petition filed in the Court below has been annexed as Annexure-2.

Considering the aforesaid facts, let the appellant No.1, above named, in the event of his arrest/surrender within a period of six weeks from today in connection with **Kanti P.S. Case No.554 of 2015**, be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the **Additional Sessions Judge 10th-cum-Special Judge, Muzaffarpur**, subject to the conditions as laid down under Section 438(2) Cr. P. C. with further conditions: (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be liable to cancel his bail



bond and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

Accordingly, the impugned order with regard to appellant No.1 is set aside and the appeal is allowed.

(Sanjay Priya, J)

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