

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1372 of 2018

Arising Out of PS. Case No.-253 Year-2017 Thana- LALIT NARAYAN UNIVERSITY
District- Darbhanga

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Gaurav Kumar Mishra, Son of Sanjiv Kumar Mishra, Resident of Village -
Majargahi, P.O. - Baghauni, Auranga Usri, P.S. - Baghauni, District -
Darbhanga.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Vijay Anand

For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 01-11-2018

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 12.12.2017 in A.B.P. No. 1476 of
2017 passed by the learned 1st Additional Sessions Judge-cum-Special
Judge S.C./S.T. (POA) Act, Darbhanga in connection with L.N.M.U.
P.S. Case No. 253 of 2017 registered under Sections 341, 323, 324,
504/34 of the Indian Penal Code as well as Sections 3(i)R/VA of the
SC/ST Act.

The appeal is barred by limitation of about a month.

The delay is explained in I.A. No. 2766 of 2018. Hence, for
substantial justice, the delay is condoned.

Accordingly, I.A. aforesaid stands disposed of.



The offences of the Indian Penal Code alleged against the appellant are bailable. Appellant has stated on oath that he has got no criminal antecedent.

Learned Special Public Prosecutor opposed the prayer for bail.

Considering the aforesaid fact, 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 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 as well as condition that both the bailors shall be resident of within the territorial jurisdiction of the learned court below.

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

Kundan

(Birendra Kumar, J)

AFR/NAFR	N.A.
CAV DATE	N.A.
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