

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3820 of 2018

Arising Out of PS. Case No.-60 Year-2018 Thana- BIHPUR District- Bhagalpur

Sandeep Kumar Satyavrat @ Sandeep Malakar, Son of Surendra Malakar,
Resident of Village- Chakrami, P.S.- Bihpur, District- Bhagalpur.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Santosh Kumar

For the Respondent/s : Mr. Sri Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 13-12-2018

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 17.04.2018 passed by the learned Sessions Judge, Bhagalpur in A.B.P. No.500 of 2018, arising out of Bihpur (Bhawanipur) Police Station Case No.60 of 2018 registered under Sections 447, 387, 504, 506/34 of the Indian Penal Code as well as Sections 3 (i) R, 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act and Section 25(1-b)a, 26 of the Arms Act and Section 37(b)(c) of the Bihar Prohibition and Excise Act, 2016.

Allegation against the appellant is similar to that of co-accused, *Rohit Raj @ Saurabh Malakar* and *Digambar Kumar*



Malakar, who have been allowed anticipatory bail by this Court, vide Annexure 2. In the order granting anticipatory bail to *Rohit Raj @ Saurabh Malakar*, due to inadvertence, name of the petitioner has been written as the person having main allegation, whereas the main allegation is against co-accused, *Sumit Kumar @ Bambam Malalkar*.

Considering the aforesaid facts, 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/-

AFR/NAFR	NAFR
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