

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.873 of 2018

Arising Out of PS.Case No. -574 Year- 2017 Thana -SA SARAM NAGAR District- SASARAM
(ROHTAS)

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1. Ajay Sonkar
2. Biru Sonkar, both sons of Late Khaderu Sonkar, residents of Mohalla
Sagar Alamganj More, P.S. Sasaram (Town), Distt. Rohtas at Sasaram
..... Appellant/s

Versus

The State of Bihar Respondent/s

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Appearance :

For the Appellant/s : Mr. Babu Nandan Prasad
For the Respondent/s : Mr. Smt Usha Kumari No-1

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

6 24-05-2018 Learned counsel for the appellants seeks

permission to withdraw the application of appellant no. 2 as he has

already been arrested.

Permission is accorded.

This appeal is dismissed as withdrawn with
regard to appellant no. 2.

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 regular bail by the **learned 1st Additional
Sessions Judge, Rohtas in Sasaram (Town) P.S. Case No. 574
of 2017** registered under Sections 341 and other allied sections of
the Indian Penal Code as well as Section 3(i)(r)(s) of the SC/ST
Act.



Learned counsel for the appellant no. 1 has submitted that there is general and omnibus allegation against the appellant. Both the parties have compromised their case and a joint compromise petition has been filed, which is Annexure-2 to this petition.

It is alleged in written report that accused persons assaulted the informant and his family members and abused by calling caste name. The good sense has now prevailed between parties. The compromise petition has been filed as Annexure-2.

In such circumstances, let the appellant no. 1 above named in the event of surrender/arrest within six weeks from today, in connection with **Sasaram (Town) P.S. Case No. 574 of 2017** he may be granted anticipatory bail on furnishing bail bond of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of **learned 1st Additional Sessions Judge, Rohtas** subject to the conditions as law laid down in Section 438(2) of the Cr.P.C with further more conditions: (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) appellant 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 appellant tamper 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 appellant.

Accordingly, the impugned order dated 08.01.2018 with regard to appellant no. 1 is set aside and the appeal is allowed.

(Sanjay Priya, J)

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