

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Appeal (SJ) No.1485 of 2018**

Arising Out of PS.Case No. -115 Year- 2017 Thana -KHAGARIA District- KHAGARIA

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1. Prasannjeet Singh @ Gabbar @ Prasenjeet, S/o Dilip Narain Singh @ Dilip Verma, R/o Hardas Chak, P.S.- Muffasil, District- Khagaria.

.... .... Appellant/s

Versus

1. The State of Bihar

.... .... Respondent/s

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**Appearance :**

For the Appellant/s : Mr. Dhananjay Kumar, Advocate

For the Respondent/s : Smt Usha Kumari No-1, SPP

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**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA**  
**ORAL ORDER**

3/ 24-05-2018

Heard 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 refusal of prayer for anticipatory bail in **Khagaria (Chitragupta Nagar) P.S. Case No.115 of 2017** instituted under Section(s) 341, 323, 307, 379, 504/34 Indian Penal Code and Section 3(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Counsel for the appellant submits that there is case and counter case between the parties. Prior to institution of instant case, appellant has lodged Khagaria P.S. Case No.20 of 2017 against the informant and other accused persons. Counsel for the appellant further submits that there is allegation that while



informant was proceeding on PWD road, the accused persons along with 15-20 unknown persons arrived and abused the informant. When the informant raised objection then they assaulted the informant with *Phatta*. It has further been submitted that matter has, now, been compromised between the parties. The compromise petition has been filed in the Court below, which is annexed as Anenxure-3.

Considering the aforesaid facts, let the appellant, above named, in the event of his arrest/surrender within a period of six weeks from today in connection with **Khagaria (Chitragupta Nagar) P.S. Case No.115 of 2017**, 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 1<sup>st</sup>, Khagaria**, 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 is set aside and the appeal is allowed.

**(Sanjay Priya, J)**

**JA/-**

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