

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2790 of 2018

Arising Out of PS. Case No.-60 Year-2017 Thana- MIRGANJ District- Purnia

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1. Dablu Mishra, Son of Sahdeo Mishra,
 2. Arjun Mishra @ Arjun Kumar Mishra, Son of Late Mukti Mishra,
 3. Umesh Mandal, Son of Maheshwar Mandal,
 4. Sonelal Mandal, Son of Debu Mandal. All are residents of Village- Rajghat Garail, P.S.- Mirganj, District- Purnea.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Md. Nurul Hoda
For the Respondent/s : Smt. Usha Kumari No-1

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 30-08-2018

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 10.07.2018 passed by the learned 1st Additional Sessions Judge-cum-Special Judge, Purnea in A.B.P. No.37 of 2018, arising out of Meerganj Police Station Case No.60 of 2017 registered under Sections 147, 149, 323, 504, 354 of the Indian Penal Code and Sections 3 (i) (r), (s) (w) (i) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

The offences of the Indian Penal Code alleged against the appellants are bailable.



Submission is that the informant herself has filed a petition before the Investigating Officer stating therein that the matter has been compromised.

Considering the aforesaid facts, let the appellants, above named, in the event of their 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 bonds of Rs.20,000/- (Rupees Twenty Thousand) each 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 appellants shall fully co-operate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bonds of the appellants.

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

(Birendra Kumar, J)

abhishek/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

