

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.702 of 2019**

Arising Out of PS. Case No.-200 Year-2018 Thana- MASHRAK District- Saran

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Dhananjay Rai S/o Sri Shatrughan Rai Resident of Village- Mashrakh
Dakshin Tola, P.S.- Mashrakh, District- Saran at Chhapra.

... .. Appellant/s

Versus

The State of Bihar Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Yashraj Bardhan

For the Respondent/s : Mrs.Usha Kumari 1

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT**

Date : 01-03-2019

This is an appeal under Section 14A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer of anticipatory bail dated 17.01.2019 passed by the learned ADJ- 1st , Saran at Chapra in ABP No. 4302 of 2018 arising out of Mashrakh P.S.Case No. 200 of 2018 registered under Sections 147,148,149,188,307, 323, 332, 333, 353, 504 and 509 of the Indian penal Code and Sections 3(i)(r)(w) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Allegation, as per FIR, is that accused persons including the appellant were blocking the road due to death of a child in road accident and appellant is named in the FIR. It appears that he is accused in one more case.

Submission of learned counsel for the appellant is that



nothing specific has been attributed except he is named in the FIR and so far other case is concerned i.e., with respect to family dispute. He further submits that other co-accused persons have been granted privilege of anticipatory bail vide judgment dated 11.09.2018 passed in Cr.App.(SJ) No. 3582 of 2018.

Heard learned Spl. P.P also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the appellants, in the event of arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, be released on bail upon furnishing bail bond of Rs. 25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of the learned ADJ-1st , Saran at Chapra in ABP No. 4302 of 2018 arising out of Mashrakh P.S.Case No. 200 of 2018; subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

Accordingly, the appeal is allowed and the impugned order is set aside with respect to him.

(Vinod Kumar Sinha, J)

sujit/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	
Transmission Date	

