

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.294 of 2020**

Arising Out of PS. Case No.-55 Year-2019 Thana- DESARI District- Vaishali

1. Ravi Ranjan Kumar @ Raviranjana Rai S/o. Biraju Rai
2. Nirala Kumar S/o. Dharmendra Ray
3. Rahul Kumar son of Birju Rai
All are r/v. Rasalpur Habib, P.S. Desri (Chandpura O.P.) Distt. Vaishali

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Ms. Bela Singh, Advocate
For the Respondent/s : Mr. Sadanand Paswan, SPP

**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER**

3 26-02-2020 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 against the refusal of prayer for anticipatory bail vide order dated 20.12.2019 by the learned 1st Additional Sessions Judge-cum-Special Judge (S.C./S.T. Act), Vaishali, in connection with Desari Police Station Case No.55 of 2019, registered under Sections 147/148/149/307/ 332/333/ 341/ 342/353/427 of the Indian Penal Code and Section 3(i)(r) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.



The appellants were identified among the member of a mob of 150-200 people, who obstructed in discharge of duty by the informant, a Sub-Inspector of Police, in as much as the appellants forcefully took the dead body from the police vehicle and kept the same on the road making slogans against the police.

Considering the nature of allegation which does not show that the appellants had prior knowledge that the informant is a member of scheduled caste, 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/- (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 the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the appellants shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the appellants.

The appellants shall not leave the country without permission of the trial Court.



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

(Birendra Kumar, J)

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