

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4247 of 2019**

Arising Out of PS. Case No.-75 Year-2009 Thana- SC/ST District- Gaya

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1. AJAY MISHRA Son of Late Ramesh Chandra Mishra
 2. Dinanath Yadav Son of Raman Yadav
Both Resident of Village - Bhetaura, P.S.- Bahsa Pipra, P.S.- Fatehpur, Dist.-
Gaya.

... .. Appellant/s

Versus

THE STATE OF BIHAR

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Ujjawal Kumar Singh, Adv
	:	Mr.Jitendra Narain Sinha, Adv
For the Respondent/s	:	Mr.Sadanand Paswan, APP

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

5 20-02-2020 Heard learned counsel for the parties.

This is an appeal under Sections 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, against refusal of the prayer for anticipatory bail by order dated 20.07.2019 in A.B.P. No.186 of 2019 arising out of SC/ST Gaya P.S.Case No.75 of 2009, Trial No.99 of 2018 passed by the learned Exclusive Special Judge SC/ST, Gaya registered under Sections 323,341,452,354,420,380,504/34 of the Indian Penal Code, Section 27 of the Arms Act and Sections 3(i)(x) of the Scheduled Castes and Scheduled Tribes Act.

Considering the nature of allegation which is based on complaint based FIR as well as considering the fact that the



police did not send up the appellants for trial after investigation of the case and the parties have entered into a compromise.

For substantial justice, 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 anticipatory bail on furnishing bail bond of Rs.20,000 (Twenty Thousand) each with two sureties of the like amount each to the satisfaction of 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 and further the appellants shall fully cooperate with the investigation/trial of the case and also the appellants shall not leave the country without permission of the learned Trial Court, failing which the court below shall be at liberty to cancel the bail bond of the appellants.

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

(Birendra Kumar, J)

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