

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4373 of 2019

Arising Out of PS. Case No.-139 Year-2019 Thana- DESARI District- Vaishali

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1. PINTU RAY, Son of Harbansh Ray
 2. Pritam Kumar, Son of Harbansh Ray
 3. Harbansh Ray, Son of Late Shivnandan Ray
 4. Asha Devi @ Shila Devi, Wife of Harbansh Ray
 5. Guddu Devi, Son of Pintu Ray, All are Resident of Village - Bishunpur Chand, Police Station - Desari (Chandpur O.P.), District - Vaishali at Hajipur
- Appellant/s
- Versus
- The State of Bihar
- Respondent/s
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Appearance :

For the Appellant/s : Mr. Sheo Kumar Prasad, Advocate
For the Respondent/s : Mr. Sadanand Paswan, Spl.P.P.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 18-02-2020 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 14.08.2019 in A.B.P. No. 1243 of 2019 passed by the learned 1st Additional Sessions Judge-cum-Special Judge, Vaishali at Hajipur in connection with Desari (Chandpura O.P.) P.S. Case No. 139 of 2018 registered under Sections 341, 323, 324, 307, 452, 504, 506/34 of the Indian Penal Code as well as Sections 3(i)(r)(s)(w), 3(2)(v) of the SC/ST Act.

There is case and counter case. The parties have entered into a compromise.

Considering the fate of the trial after compromise, let



the appellants, above named, in the event of their arrest or surrender before the learned Court below within a period of thirty days from the date of receipt of the order, be released on anticipatory 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 the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as subject to the following conditions:-

(a) The appellants shall fully cooperate with the investigation/trial of the case, failing which the learned court below shall be at liberty to cancel the bail bond of the appellants.

(b) Both the bailors shall be resident of the territorial jurisdiction of the learned court below.

(c) The appellants shall not leave the country without permission of the learned trial court.

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

(Birendra Kumar, J)

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