

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4836 of 2019**

Arising Out of PS. Case No.-108 Year-2019 Thana- CHAINPUR District- Kaimur (Bhabua)

1. RAMJEE RAI, S/o Late Sita Rai
2. Angad Rai @ Angad Rajbhar, S/o Late Bechan Rai, both Resident of Village - Hargav, P.S. - Chainpur, District - Kaimur at Bhabua.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Tribhuwan Narayan, Advocate

For the Respondent/s : Mr. Sadanand Paswan, Spl. P.P.

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

3 20-02-2020 There is delay of 28 days in filing of this appeal against refusal of the prayer for anticipatory bail. The delay is explained in I.A. No. 01 of 2019. Hence, for substantial justice, the delay is condoned.

Accordingly, I.A. No. 01 of 2019 stands disposed of.

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 10.06.2019 in A.B.P. No. 480 of 2019 passed by the learned 1st Additional Sessions Judge, Kaimur at Bhabua in connection with Chainpur P.S. Case No. 108 of 2019 registered under Sections 147, 148, 149, 323, 354(B), 504, 506, 379/34 of



the Indian Penal Code as well as Sections 3(1)(r)(s)(W)(F)(G), 3(2)(VI) V(A) of the SC/ST Act.

The complaint based allegation would reveal that land dispute is reason behind the alleged occurrence. The parties have entered into a compromise.

Considering the fate of the trial after compromise, non-grant of anticipatory bail to the appellants would result in miscarriage of justice. Hence, 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 bond 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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