

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5135 of 2019

Arising Out of PS. Case No.-192 Year-2019 Thana- BIDUPUR District- Vaishali

1. JITENDRA KUMAR @ JITENDRA SINGH S/o Lalit Singh
2. Bickey Singh @ Bickey Kumar S/o Jitendra Singh
3. Golu Kumar S/o Jitendra Singh
4. Rahul Kumar S/o Jitendra Singh
All R/o village- Rahimapur, P.O. and P.S.- Bidupur, District- Vaishali

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Ramesh Kumar Choudhary, Advocate
For the Respondent/s : Mrs. Usha Kumari 1, SPP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 19-02-2020 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 01.10.2019 by the learned Additional Sessions Judge-I-cum-Special Judge (S.C./S.T. Act), Vaishali at Hajipur, in connection with Bidupur Police Station Case No.192 of 2019, registered under Sections 323/504/379 of the Indian Penal Code and Sections 3(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The offences of the Indian Penal Code alleged



against the appellants are mostly bailable. 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 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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