

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5114 of 2019

Arising Out of PS. Case No.-8 Year-2019 Thana- SC/ST District- Siwan

SURENDRA BHAGAT @ SURENDRA PRASAD KUSHWAHA, Son of
Bhola Bhagat, Resident of Village - Sadhokhar, P.S.- Hussainganj, Distt.-
Siwan.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Raju Prasad, Advocate
For the Respondent/s	:	Mr. Binay Krishna, 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 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for anticipatory bail vide order dated 20.05.2019 in A.B.P. No. 684 of 2019 and A.B.P. No. 696 of 2019 passed by the learned 1st Additional Sessions Judge-cum-Special Judge, Siwan in connection with Siwan SC/ST P.S. Case No. 08 of 2019 registered under Sections 341, 323, 324, 379, 504, 506/34 of the Indian Penal Code as well as Sections 3(i)(r), 3(i)(s) of the SC/ST Act.

Submission is that considering the general and omnibus allegation, a Coordinate Bench of this Court has granted anticipatory bail to eight accused persons in Cr. Appeal (SJ) No. 3466 of 2019 on 04.11.2019. Allegation against the appellant is on



identical footing.

Hence, let the appellant, above named, in the event of his 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) 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 appellant 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 appellant.

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

(c) The appellant 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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