

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5154 of 2019

Arising Out of PS. Case No.-773 Year-2018 Thana- MASAUDHI District- Patna

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1. RAJNISH SINGH @ RAJNISH KUMAR Son of Late Shiva Pujan Singh @ Shiv Pujan Sharma Resident of Village-Tineri, P.S.-Masaurhi, District-Patna.
 2. Gautam Singh Son of Nawal Singh Resident of Village-Tineri, P.S.-Masaurhi, District-Patna.

... .. Appellant/s

Versus

The State of Bihar Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Surendra Kumar Mishra, Advocate
For the Respondent/s : Mr.Usha Kumari 1, A.P.P.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 05-02-2020

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 18.09.2019 in A.B.P. No. 7199 of 2019 passed by the learned 20th Additional Sessions Judge-cum-Special Judge S.C./S.T., Patna in connection with Masaurhi P.S. Case No. 773 of 2018 registered under Sections 341, 323, 504, 506, 384, 379, 354(A)/34 of the Indian Penal Code as well as Sections 3(i)(r)(s)(w) of the SC/ST Act. 2019

Submission is that offences of the Indian Penal Code



alleged against the appellants are either bailable or compoundable. Moreover, the parties have entered into a compromise, vide a written compromise petition at Annexure-2.

Learned Special Public Prosecutor opposed the prayer for bail.

Considering the aforesaid facts and fate of the trial after compromise, 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 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 2019 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 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)

Kundan/-

AFR/NAFR	N.A.
CAV DATE	N.A.
Uploading Date	07.02.2020
Transmission Date	07.02.2020

