

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5084 of 2019

Arising Out of PS. Case No.-26 Year-2019 Thana- SC/ST District- Patna

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1. AJAY RAM Son of Bhushan Ram
 2. Sunita Devi @ Shobha Devi Wife of Ajay Ram
 3. Raja Ram Son of Ajay Ram, All are Resident of Village - Govindpur Tola,
P.S. - Bikram, District - Patna.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Usha Kumari Singh, 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 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for anticipatory bail vide order dated 05.09.2019 in A.B.P. No. 6027 of 2019 passed by the learned 20th Additional Sessions Judge-cum-Special Judge S.C./S.T. Act, Patna in connection with Special Case No. 318 of 2019 arising out of SC/ST P.S. Case No. 26 of 2019 registered under Sections 341, 323, 354, 307, 504, 506/34 of the Indian Penal Code as well as Sections 3(1)(r)(s)(w)/3(2)(va) of the SC/ST Act.

Submission is that appellants are also members of the scheduled caste and the offences of the Indian Penal Code alleged against the appellants are mostly bailable.



Finding substance in the submission aforesaid, 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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