

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5350 of 2019

Arising Out of PS. Case No.-86 Year-2019 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

-
1. RAM UDIT CHAUDHARY Son of Late Mishri Chaudhary
 2. Rishi Chaudhary @ Rishikesh Chaudhary Son of Ram Udit Chaudhary
 3. Bhola Chaudhary @ Aditya Kumar Chaudhary Son of Ram Udit Chaudhary
 4. Yashwant Chaudhary Son of Ram Udit Chaudhary
All Resident of Village - Hariharpur Khairi, P.S. Khanpur, District - Samastipur.

... .. Appellant/s

Versus

1. The State of Bihar
2. Dashrath Ram Son of Ram Vilas Ram Resident of Village - Hariharpur Khairi, P.S. Khanpur, District - Samastipur.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Bijay Bhushan Prasad, Advocate
For the Respondent/s : Mr.Sadanand Paswan, SPP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 06-02-2020 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 26.10.2019 by the learned 1st Additional Sessions Judge-cum-Special Judge (S.C./S.T Act), Samastipur, in A.B.P. No.2599 of 2019, arising out of Complaint Case No.86 of 2019, T.R. No.1192 of 2019, registered under Sections 323/379/354B/504/34 of the Indian Penal Code and Sections 3(i)(r)(s)(w) of the Scheduled Castes and Scheduled Tribes



(Prevention of Atrocities) Act, 1989.

The offences of the Indian Penal Code alleged against the appellants are bailable. Civil suit is going on between the parties. The aforesaid material is sufficient to protect the constitutional right of the appellants in complaint based allegation.

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)

Mkr./-

U		T	
---	--	---	--

