

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5540 of 2019**

Arising Out of PS. Case No.-131 Year-2019 Thana- THAWE District- Gopalganj

1. SANJAY PRASAD Son of Dharmraj Prasad @ Dharamraj Prasad
 2. Dhrup Kushwaha @ Dhrup Kumar Son of Dinanath Kushwaha
 3. Sudish Kushwaha @ Sudish Kumar Kushwaha Son of Chandrama Bhagat
 4. Prabhunath Bhagat Son of Tappi Bhagat
- All are Resident of Village - Dhathiwara, P.S.- Thawe, District - Gopalganj.

... .. Appellant/s

Versus

THE STATE OF BIHAR

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Shailendra Kumar, Adv
For the Respondent/s : Mr.Sadanand Paswan, APP

**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER**

3 06-02-2020 Heard learned counsel for the parties.

This is an appeal under Sections 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, against refusal of the prayer for anticipatory bail by order dated 15.11.2019 in Thawe P.S.Case No.131 of 2019 passed by the learned Additional District and Sessions Judge, 1st, Gopalganj registered under Sections 341,323,379,504,506 and 34 of the Indian Penal Code and Sections 3(i)(r) of the Scheduled Castes and Scheduled Tribes Act.

Submission is that appellant No.1-Sanjay Prasad had lodged Thawe P.S.Case No.132 of 2019 against Ajay Singh and others. Being infuriated by that, Ajay Singh got the present



FIR lodged from his driver, who is informant of this case.

Considering the background of allegation and the fact that most of the offences alleged against the appellants are bailable, 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 bond of Rs.20,000 (Twenty Thousand) each with two sureties of the like amount each to the satisfaction of 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 and further 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.

Accordingly, the impugned order is set aside and this appeal stands allowed.

(Birendra Kumar, J)

Nitesh/-

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