

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5535 of 2019

Arising Out of PS. Case No.-63 Year-2019 Thana- SC/ST District- East Champaran

SURENDRA SHARMA Son of Banarash Sharma Resident of Village - Indra
Gachhi, P.S.- Sangrampur, Distt - East Champaran.

... .. Appellant/s

Versus

THE STATE OF BIHAR

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Rajesh 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 15.10.2019 in A.B.P. No.2524 of 2019 passed by the learned 1st A.D.J.-cum-Special Judge, SC/ST Act, East Champaran Motihari in connection with SC/ST P.S.Case No. 63 of 2019 registered under Sections 341,323,406,420,504/34 of the Indian Penal Code as well as under Sections 3(i)(r)(s) of the Scheduled Castes and Scheduled Tribes Act.

The offences of the Indian Penal Code alleged against the appellant are either bailable or compoundable. A written compromise petition filed before the learned Special Judge is at Annexure-3. Co-accused-Yogendra Rai has already



been allowed anticipatory bail by a Coordinate Bench of this Court vide order at Annexure-2.

Considering the aforesaid fact, let the appellant, above named, in the event of his 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) 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 appellant 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 appellant.

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

(Birendra Kumar, J)

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