

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5733 of 2019

Arising Out of PS. Case No.-52 Year-2018 Thana- SAHODARA District- West Champaran

1. ANAMIKA KUMARI, Wife of Rajeev Pandey Resident of Village- Pandey Tola, Narkatiaganj, P.S.- Shikarpur, Distt- West Champaran.
 2. Rajeev Pandey @ Rajeev Kr.Pandey Son of Mirtunjay Pandey Resident of Village-Pandey Tola, Narkatiaganj, P.S.- Shikarpur, Distt- West Champaran.
- Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Brij Kishor Mishra, Advocate.
For the Respondent/s : Mr.Binay Krishna, APP.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 25-02-2020 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 23.11.2019 by the learned 1st Addl. District and Sessions Judge cum Special Judge, SC/ST/POCSO, Bettiah, West Champaran in A.B.A. No. 2755 of 2019, arising out of Sahodra P.S. Case No. 52 of 2018 registered under Sections 341, 323, 504, 506, 354 and 427/34 of the Indian Penal Code and Sections 3(i)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The allegation in the F.I.R. prima facie discloses improbability of the allegation levelled against the appellants. Moreover, parties have entered into a compromise.



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 Cr.P.C as well as following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below.

(b) 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.

(c) 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)

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