

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL APPEAL (SJ) No.5738 of 2019**

Arising Out of PS. Case No.-35 Year-2019 Thana- SRINAGAR District- West Champaran

1. BABU NAND KUANAR @ BABU NAND KUWAR, S/o Late Budhan Kuanar
2. Manoj Yadav, S/o Bhuwali Yadav
3. Manohar Yadav,
4. Jokhu Yadav, both are sons of Gorakh Yadav, All are Resident of Village - Bhawanipur, P.S. - Srinagar, Dist - West Champaran

... .. Appellant/s

Versus

THE STATE OF BIHAR

... .. Respondent/s

**Appearance :**

For the Appellant/s : Mr. Arbind Kumar Sharma, Advocate  
For the Respondent/s : Mr. Binay Krishna, Spl. P.P.

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

4      24-02-2020                      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 27.09.2019 in A.B.P. No. 2222 of 2019 passed by the learned 1<sup>st</sup> Additional Sessions Judge-cum-Special Judge (S.C./S.T./POCSO), West Champaran at Bettiah in connection with Srinagar Pujhan P.S. Case No. 35 of 2019 registered under Sections 341, 323, 324, 384, 504/34 of the Indian Penal Code as well as Sections 3(i)(r) of the SC/ST Act.

The offences of the Indian Penal Code alleged against



the appellants are mostly bailable. The parties have entered into a written compromise.

Considering the fate of the trial after compromise, 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)

Kundan/-

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