

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5781 of 2019

Arising Out of PS. Case No.-56 Year-2019 Thana- SC/ST District- Muzaffarpur

1. SANJAY KUMAR SINGH S/o Lakshman Prasad Singh R/o village-Phulwaria, P.S.- Paroo, District- Muzaffarpur
2. Dhananjay Kumar Singh @ Dhananjay Kumar S/o Sri Gorakh Singh R/o village- Gannipur Mishra Tola, P.S.- Kazimohammadpur, District- Muzaffarpur

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Shashank Shekhar, Advocate Mr. Ajay Kumar Thakur, Advocate Mr. Babita Kumari.
For the Respondent/s	:	Mr. Sadanand Paswan, Spl. P.P.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 26-02-2020 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 06.12.2019 passed by learned Special Judge (SC/ST Act), Muzaffarpur in A.B.P. No. 3581 of 2019, arising out of Muzaffarpur East SC/ST P.S. Case No.56 of 2019 registered under Sections 341, 323, 504, 506, 427, 353/34 of the Indian Penal Code and Section 3(i)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities Act, 1989.

For the same occurrence the same informant had



lodged Muzaffarpur Town P.S. Case No. 777 of 2019 against the appellants and in that case appellants were allowed anticipatory bail by the learned Special Judge, Muzaffarpur. A copy of the said FIR is at Annexure-2 and order granting anticipatory bail is at Annexure-3. Thereafter, present FIR was lodged on 07.09.2019 for the same occurrence against the appellants.

Considering the aforesaid fact the appellants cannot be allowed to twice face the same, 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/- (Rupees 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 following conditions:-

(a) 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.

(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)

Sonali/-

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

