

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5714 of 2019**

Arising Out of PS. Case No.-65 Year-2018 Thana- SC/ST BETTIAH District- West
Champaran

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NANHE MISHRA Son of Jagat Mishra Resident of Village- Mahachhi, P.S.-
Gopalpur, Distt- West Champaran

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Bimlesh Kumar Pandey, Adv
For the Respondent/s : Mr.Binay Krishna, APP

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

Date : 06-01-2020

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 29.11.2019 in A.B.P. No.2874 of 2019 passed by the learned Additional Sessions Judge 1st -cum-Special Judge, West Champaran at Bettiah in connection with Sadar Bettiah SC/ST P.S.Case No.65 of 2018 registered under Sections 504,506,354A and 34 of the Indian Penal Code as well as under Sections 3(i)(r) (w)(ii)(v-a) of the Scheduled Castes and Scheduled Tribes Act and Section 8 of POCSO Act.

Co-accused-Mishri Sah and Sheetal Sah have already been allowed anticipatory bail by a Coordinate Bench of this Court



vide order at Annexure-2. Allegation against the appellant is on better footing to that of those accused. Hence, there is no reason to refuse the same prayer to the appellant.

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)

Nitesh/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	07.01.2020
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