

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.723 of 2020**

Arising Out of PS. Case No.-409 Year-2018 Thana- TAJPUR District- Samastipur

AJAY KUMAR Son of Vijay Yadav @ Vijay Bhagat Resident of Village -
Aadharpur, P.S. - Muffasil, District - Samastipur.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Jitendra Narain Sinha, Advocate.

For the Respondent/s : Mr.Sadanand Paswan, Spl. PP.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL ORDER

2 17-11-2021 Heard 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 23.12.2019 by the learned 1st Addl. Sessions Judge, Samastipur in A.B.P. No. 3200 of 2019, arising out of Tajpur P.S. Case No. 409 of 2018 registered under Sections 114, 147, 148, 149, 224, 225, 279, 307, 308, 323, 324, 341, 353, 354, 427 and 504 of the Indian Penal Code and Sections 3(1)(r), 3(1)(s), 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The appellant was member of the mob of 100 to 125



which obstructed the police in arresting the driver of the vehicle which had caused accident.

Submission is that some other co-accused have already been allowed anticipatory bail by a co-ordinate Bench of this Court vide order at Annexure-3.

Considering general and omnibus nature of allegation, 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 bail, on furnishing bail bonds of Rs. 20,000/- (Twenty thousand) 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 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.

(c) The appellant 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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