

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5374 of 2019

Arising Out of PS. Case No.-533 Year-2019 Thana- BARH District- Patna

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1. Kam Raj Prasad @ Kamakhya Yadav Son of Ramashray Prasad Yadav @ Ramashray Yadav Resident of Village - Kazichak, Ward No. 24, P.S.- Barh, District- Patna
 2. Suranjan Kumar @ Suraj Yadav Son of Kam Raj Prasad @ Kamakha Yadav Resident of Village - Kazichak, Ward No. 24, P.S.- Barh, District- Patna

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Dhramveer, Advocate

For the Respondent/s : Mr. Sadanand Paswan, A.P.P.

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 09-12-2019 Heard learned counsel for the appellants and learned
counsel for the State.

This is an appeal under Section 14(A)(2) of the SC/ST Act against the order dated 26.11.2019 passed by the learned Additional Sessions Judge XX cum Special Judge, SC/ST Act, Patna, in A.B.P. No. 8968 of 2019, arising out of Special Case No. 529 of 2019 in connection with Barh P.S. Case No. 533 of 2019, registered under Sections 341, 323, 307, 379, 34 of the Indian Penal Code and Section 3(1)(r), 3(1)(s), 3(2)(va) of Schedule Caste/ Schedule Tribe (Prevention of Atrocities) Act 1989, whereby the prayer for anticipatory bail of the appellants has been rejected.

Learned counsel for the appellants submits that the entire dispute arose on account of non-payment of dues and the



use of caste name is also a super-addition only to make the charge grievous. Learned counsel for the appellants submits that a bare perusal of the FIR reveal that the occurrence has taken place in the shop. The injuries found on the informant were said to be simple in nature.

Having considered the aforementioned facts and circumstances of the case and that now the case has also been compromised, let the appellants, above named, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each, with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge XX cum Special Judge, SC/ST Act, Patna in connection with Special Case No. 529 of 2019 arising out of Barh P.S. Case No. 533 of 2019, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

With the aforesaid, the present appeal stands allowed and consigned to records.

(Anjana Mishra, J)

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