

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL APPEAL (SJ) No.2559 of 2021**

Arising Out of PS. Case No.-806 Year-2020 Thana- BHABHUA District- Kaimur (Bhabua)

Vikash Patel, S/O Sankhatha Singh R/O Village- Ward No- 3, Bhabua, P.S.-  
Bhabua.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

**Appearance :**

For the Appellant/s : Mr. Ranjay Kumar Patel- Advocate

For the Respondent/s : Mr. Binay Krishna- S.P.P.

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

2      20-07-2021                      Heard Mr. Ranjay Kumar Patel, the learned  
Advocate for the appellant and Mr. Binay Krishna, the learned  
Special Public Prosecutor for the State.

The appellant has challenged the order dated  
08.02.2021 passed by the learned 1<sup>st</sup> Additional District and  
Sessions Judge-cum-Special Judge, Kaimur at Bhabua in  
connection with Bhabua P. S. Case No.806 of 2020,  
instituted for the offences under Sections 3(1)(r)(s) of the  
Scheduled Castes & Scheduled Tribes (Prevention of  
Atrocities) Act, 1989, whereby their prayer for grant of  
anticipatory bail has been rejected.

The accusation in the F.I.R. is that while the  
informant was trying to calm down two of the warring  
persons namely, Parvin Sah and Sudama Kumar, the  
appellant is said to have intervened and assaulted the  
informant.



The learned Advocate for the appellant has therefore submitted that assuming every allegations in the F.I.R. to be true, none of the offences under the I.P.C. or under the SC/ST (P.O.A.) Act can at all be said to have been made out.

This case has been compounded between the parties.

For the reasons afore-stated, the order dated 08.02.2021, referred to above, is set-aside.

The appeal stands allowed.

The appellant, above-named, in the event of his arrest or surrender before the learned Court below within a period of eight weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 1<sup>st</sup> Additional District and Sessions Judge-cum-Special Judge, Kaimur at Bhabua in connection with Bhabua P. S. Case No.806 of 2020, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

**(Ashutosh Kumar, J)**

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