

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL APPEAL (SJ) No.3409 of 2021**

Arising Out of PS. Case No.-266 Year-2021 Thana- JOGAPATTI District- West Champaran

Farman Miyan, Son of Late Nasaruddin Miyan, Resident of Village Jagiraha,  
P.S. Jogapatti, District West Champaran.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

**Appearance :**

For the Appellant/s : Mr. Umesh Chandra Verma, Advocate  
For the Respondent/s : Smt. Usha Kumari 1, Special P.P.

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

2      29-11-2021                      Heard learned counsel for the appellant and learned  
Special P.P. for the State.

This is an appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter referred to as ‘the SC/ST Act’) against the refusal of prayer of bail vide order dated 16.07.2021, passed by learned 1<sup>st</sup> Additional Sessions Judge-cum-Special Judge, SC/ST Act, West Champaran at Bettiah in connection with Jogapatti P.S. Case No.266 of 2021, registered under Sections 147, 149, 341, 323, 337, 338, 325, 307, 504, 506 of the Indian Penal Code and Sections 3(i)(r) of the SC/ST Act.

The informant alleged that on 14.06.2021, *Barat* was coming in his neighbourhood and the FIR named accused persons including the appellant did not allow the *Barat* to go



from a certain route and were pressurizing the *Barat* to go from another route. Both the sides quarreled with each other and when the informant went to intervene, the FIR named accused persons including the appellant abused the informant by naming his caste. All accused persons assaulted the informant by fists and slaps, bricks besides *lathi* and *danda* due to which the informant sustained injuries.

Learned counsel for the appellant submits that the appellant is innocent and has falsely been implicated in the present case. There is general and omnibus allegation against all accused persons. The appellant is in custody since 16.06.2021. It is submitted that no injury report has been produced in the learned court below. It is lastly submitted that both the parties have compromised the matter, which fact has also been mentioned in the order impugned.

Learned Special P.P. for the State opposed the prayer for bail of the appellant.

Having considered the fact that both parties have compromised the matter, let appellant, above named, be released on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned 1<sup>st</sup> Additional Sessions Judge-cum-



Special Judge, SC/ST Act, West Champaran, Bettiah in  
connection with Jogapatti P.S. Case No.266 of 2021.

Accordingly, the impugned order is set aside and this  
appeal is allowed.

There is no need to issue notice to the informant of  
the case as there is compromise between the parties.

**(Anjani Kumar Sharan, J.)**

Sanjay/-

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