

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4031 of 2021

Arising Out of PS. Case No.-75 Year-2021 Thana- RAMNAGAR District- West Champaran

GOLU JAISWAL S/O SRI ACHHELAL JAISWAL @ ACHCHELAL SAH
R/o village- Ward No. 20, near Harinagar Railway Station, P.S.- Ramnagar,
District- West Champaran

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Umesh Chandra Verma
For the Respondent/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 15-12-2021 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State.

Learned counsel for the appellant is directed to remove the defects, as pointed out by the office within four weeks. In the eventuality of non-removal of defects within stipulated period, office will place the matter before the Bench.

This is an appeal under section 14(A) (2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (as amended by Amendment Act, 2015, Act No.-1 of 2016) (hereinafter, in short, referred to as the 'SC/ST Act') against the refusal of prayer for bail vide order dated 26.08.2021, passed by learned 1st Additional Sessions Judge-cum-Special Judge, SC & ST Act, West Champaran at



Bettiah, in connection with Ramnagar P.S. Case No.75 of 2021, registered under sections 323, 341, 307, 504, 506 of the IPC and sections 3(1)(r) of SC and ST (POA) Act.

Allegation against the appellant is that he has stabbed in the abdomen of one Sikandar Mahto.

It is submitted by learned counsel for the appellant that the appellant is innocent and has not committed any offence. He has been falsely implicated in this case due to previous enmity. The injury report (Annexure-2) shows the injury as simple in nature. It is further submitted that the parties have compromised the case and in support of this contention, a copy of the compromise petition is annexed (Annexure-3). The appellant has no criminal antecedent, which is also mentioned in para-3 of the memo of appeal and is languishing in custody since 20.02.2021.

In the facts and circumstance of the case, since the matter has been compromised, the above named appellant is directed to be released on bail on furnishing bail bond of Rs.25,000/- (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned learned 1st Additional Sessions Judge-cum-Special Judge, SC & ST Act, West Champaran at Bettiah, in connection with Ramnagar P.S. Case



No.75 of 2021.

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

(Anjani Kumar Sharan, J)

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