

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5619 of 2019

Arising Out of PS. Case No.-152 Year-2019 Thana- MEHANDIGANJ District- Patna

DEV NANDAN YADAV @ DEWA NAND KUMAR Son of Vishwanath
Yadav Resident of Village - Pratappur, P.S.- Mehandiganj, District - Patna.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Ajay Mishra

For the Respondent/s : Mr.Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 15-12-2021 Heard learned counsel for the appellant and learned
Special Public Prosecutor 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 in short referred to as the 'SC/ST Act') against the refusal of prayer for anticipatory bail vide order dated 24.09.2019, passed by learned Additional Sessions Judge XX -cum- Special Judge (SC/ST), Patna in connection with Mehandiganj P.S. Case No.152 of 2019, registered under sections 341, 323, 504, 307, 447/34 of the IPC and section 3(i)(r)(s) of the SC and ST Act.

It is submitted by learned counsel for the appellant that no such occurrence as alleged ever took place. Appellant has been falsely implicated in the case. There is case and counter-case



between the parties. There is a general and omnibus allegation against the appellant. Similarly situated co-accused have been granted anticipatory bail vide Cr. Appeal (SJ) No.4439 of 2019. It is further submitted that the parties have compromised the case. Appellant has one criminal antecedent.

Learned Spl. PP for the State opposed the prayer for anticipatory bail.

Since, the parties have compromised the case, there is no requirement of issuance of notice upon the informant.

Considering the facts and circumstances of the case, the appellant named above, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, 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 Additional Sessions Judge XX -cum- Special Judge (SC/ST), Patna in connection with Mehandiganj P.S. Case No.152 of 2019, subject to the condition as laid down under section 438 (2) of the Cr.P.C.

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

(Anjani Kumar Sharan, J)

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