

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.320 of 2022

Arising Out of PS. Case No.-205 Year-2021 Thana- NAVINAGAR District- Aurangabad

1. MANU KUMAR @ MANU KUMAR SINGH S/o Ranjeet Singh Resident of Village- Chirayali, P.S.- Nabinagar, District- Aurangabad (Bihar)
2. GAURAV KUMAR @ GAURAV KUMAR SINGH S/o Yogendra Singh Resident of Village- Chirayali, P.S.- Nabinagar, District- Aurangabad (Bihar)
3. PRINCE KUMAR @ PRINCE KUMAR SINGH S/o Gupteshwar Singh Resident of Village- Chirayali, P.S.- Nabinagar, District- Aurangabad (Bihar)
4. JITENDRA SINGH S/o Late Lakhdeo Singh Resident of Village- Chirayali, P.S.- Nabinagar, District- Aurangabad (Bihar)
5. ARUN SINGH @ ARUN KUMAR SINGH S/o Late Lakhdeo Singh Resident of Village- Chirayali, P.S.- Nabinagar, District- Aurangabad (Bihar)
6. LALAN SINGH @ LALAN KUMAR SINGH S/o Mukha Singh Resident of Village- Chirayali, P.S.- Nabinagar, District- Aurangabad (Bihar)
7. GUDDU SINGH @ GUDDU S/o Ambika Singh Resident of Village- Chirayali, P.S.- Nabinagar, District- Aurangabad (Bihar)
8. YOGENDRA SINGH S/o Mukhdeo Singh Resident of Village- Chirayali, P.S.- Nabinagar, District- Aurangabad (Bihar)

... .. Appellant/s

Versus

THE STATE OF BIHAR

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Bhaskar Shankar, Advocate
For the Respondent/s	:	Mr.Usha Kumari I, Spl. PP
For the Informant	:	Mr.Pramednra Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 31-08-2022 Heard learned counsel for the appellants, learned counsel for the informant and learned Spl. P.P. for the State.

Learned counsel for the appellants, at the outset, seeks permission to withdraw the present appeal with respect to appellant nos. 3, 4 and 8 as they have been arrested during pendency of the present appeal.



Permission is accorded.

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 for **anticipatory bail** vide order dated 22.12.2021 in A.B.P. No. 1654 of 2021 passed by the learned 1st Additional Sessions Judge-cum-Special Judge S.C./S.T. (POA) Act, Aurangabad in connection with Nabinagar P.S. Case No. 205 of 2021 registered for the offences punishable under Sections 307, 341, 323, 325, 448, 504, 506 and 34 of the Indian Penal Code as well as Sections 3(1)(r), 3(2)(va) and 3(2) (v) of the SC/ST Act.

The informant alleges that accused persons came and started abusing and assaulting her with *lathi* and iron rod and when her son and daughter intervened, they were also assaulted and thus were injured.

Learned counsel for the appellants submits that the appellants are persons with clean antecedent and from perusal of the allegations as alleged in the F.I.R it would manifest that allegation of assault is general and omnibus in nature, it is also submitted that from perusal of the injury report it would further transpire that the injuries suffered are simple in nature



and whatever happened, happened in the house of the informant and not in public view, it is also submitted that what abuse was hurled by appellants is also not specific.

Learned counsel for the informant submits that the matter has been compromised between the parties.

In view of the submission made by the learned counsel for the informant and also taking into consideration the submissions made by the learned counsel for the appellants, the order dated 22.12.2021 in A.B.P. No. 1654 of 2021 passed by the learned 1st Additional Sessions Judge-cum-Special Judge S.C./S.T. (POA) Act, Aurangabad in connection with Nabinagar P.S. Case No. 205 of 2021 is hereby set aside and the appellant nos. 1, 2, 5, 6 and 7, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 2,000/- (Rupees Two Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Nabinagar P.S. Case No. 205 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.



Accordingly, the appeal stands allowed.

(Satyavrat Verma, J)

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