

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.293 of 2022**

Arising Out of PS. Case No.-238 Year-2020 Thana- MANJHI District- Saran

JAIDULLAH KHAN @ JAIDULLAH Son of Saffiullah Khan Resident of
Village - Kutokhar , P.s.- Manjhi, Distt.- Saran.

... .. Appellant/s

Versus

THE STATE OF BIHAR

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Anil Chandra, Advocate
For the Respondent/s : Mr.Binay Krishna, Spl.P.P.

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

2 19-05-2022 Heard the parties.

Learned counsel for the appellant undertakes to remove the defects within four weeks of resumption of normal court proceedings. 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, (hereinafter in short referred to as the 'SC/ST Act') against the refusal of prayer for bail vide order dated 05.01.2022, passed by learned 3rd Additional District & Sessions Judge -cum- Special Judge (SC/ST Act), Saran, Chapra, in connection with Manjhi P.S. Case No.238 of 2020, registered under sections 147, 148, 323, 307, 376/511 IPC and section 3(r)(s), SC/ST Act.

It is submitted by learned counsel for the appellant that



the appellant is quite innocent and has committed no offence. He has been falsely implicated in the case. No such occurrence in the manner as alleged in the F.I.R. has ever taken place. It is submitted that on 04.01.2022, a compromise petition has been filed by the parties. The appellant has been languishing in custody since 23.11.2021 and has no criminal antecedent.

Learned Spl. PP for the State as well as learned counsel for the informant have not disputed this fact that parties have compromised the case.

In the facts and circumstance of the case, considering the compromise between the parties, 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 3rd Additional District & Sessions Judge -cum- Special Judge (SC/ST Act), Saran, Chapra, in connection with Manjhi P.S. Case No.238 of 2020.

The impugned order is set aside and the appeal is allowed.

(Anjani Kumar Sharan, J)

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