

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.275 of 2022

Arising Out of PS. Case No.-23 Year-2021 Thana- SC/ST District- Banka

1. Deepak Yadav @ Deepak Kumar Son Of Late Siyaram Yadav Resident Of Village- Gorgama, P.S.- Amarpur, District- Banka
2. Ranjana Devi Wife Of Deepak Yadav Resident Of Village- Gorgama, P.S.- Amarpur, District- Banka

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Ashok Kumar Yadav
For the Respondent/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 07-07-2022 Heard learned counsel for the appellants and

learned Special P.P for the State.

The appellants have challenged the order dated 21.12.2021 passed by the learned Additional Sessions Judge-I-cum-Special Judge, SC/ST Act, Banka in connection with Banka SC/ST P.S. Case No. 23 of 2021 instituted for the offences punishable under Sections 341, 323, 325, 307, 504, 34 of the Indian Penal Code and Section 3(1)(r)(s) of the SC & ST (Prevention of Atrocities) Act, whereby their prayer for being released on anticipatory bail has been rejected.



The accusations are of making assault and abusing by calling caste name.

Learned counsel for the appellants seeks permission to withdraw the appeal with regard to appellant No. 1 namely Deepak Yadav @ Deepak Kumar.

Permission is accorded.

Accordingly, the appeal with regard to appellant No. 1 is permitted to be withdrawn.

It is submitted by learned counsel for the appellant that appellant has falsely been implicated in this case and in the background of some petty dispute, the present case has been lodged. From perusal of the F.I.R it appears that the provisions under SC/ST Act would not be applicable in the case of the appellant. Moreover, for the alleged occurrence of 28.06.2021, the F.I.R has been registered on 07.09.2021. A statement has been made in para 3 of the petition that appellant No. 2 has no criminal antecedent.



Taking into account the aforesaid facts, this Court deems it appropriate to set aside the order dated 21.12.2021 passed by the learned Additional District & Sessions Judge-I-cum-Special Judge, SC/ST Act, Banka.

Accordingly, this appeal is allowed.

The appellant No. 2, above named, is directed to be released on bail in the event of her arrest or surrender within a period of four weeks from today and on their furnishing bail bonds of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-I-cum-Special Judge, SC/ST Act, Banka in connection with SC/ST P.S. Case No. 23 of 2021.

(Sunil Kumar Panwar, J)

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