

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.449 of 2022

Arising Out of PS. Case No.-387 Year-2021 Thana- BARACHATTI District- Gaya

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RANJAN KUMAR S/o Kailash Prasad Yadav R/o village- Kewla Tola,
Jethuadha, Post- Ambatari, P.S.- Mohanpur, District- Gaya, Bihar- 824232

... .. Appellant/s

Versus

1. The State of Bihar
2. Nandu Manjhi S/o Late Shivbalak Manjhi R/o- Mahgarha, P.S.- Mohanpur,
District- Gaya

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Onkar Nath, Advocate
For the Respondent/s : Ms. Usha Kumari 1, Spl.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-11-2022 Heard learned counsel for the appellant and learned
Spl.P.P. 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 referred to as the “SC/ST Act”) against the refusal of prayer for **anticipatory bail** vide order dated 06.08.2021 passed by the learned Court of Exclusive Special Judge, SC/ST (POA) Act, Gaya in connection with Barachatti (Mohanpur) P.S. Case No. 387 of 2021 registered under Sections 341, 342, 323, 324, 385, 504, 506 and 34 of the Indian Penal Code and Section 3(1)(r)(s) of the Schedule Caste and Schedule Tribes (Prevention of Atrocities



Act).

Learned counsel for the appellant submits that the appellant is a person with clean antecedent and the informant alleges that appellant along with other accused was coming with liquor which was objected by the informant, thereafter he was abused, further in the night the accused persons, including the appellant, came and took him to an unknown place and assaulted him and tied him to a tree, when he regained consciousness he was in hospital.

Learned counsel for the appellant submits that the appellant has been falsely implicated in the present case which can be culled out from the allegation itself, it is next submitted that though he alleges that when he regained consciousness, he found himself in hospital, but then from perusal of the FIR, it would manifest that the same is based on a written application of the informant which amply demonstrates that he was never hospitalized nor he was injured.

Learned Spl.P.P. for the State and opposes the prayer for anticipatory bail of the appellant.

Considering the submissions made by the learned counsel for the appellant, the order dated 06.08.2021 passed by the learned Court of Exclusive Special Judge, SC/ST (POA)



Act, Gaya in connection with Barachatti (Mohanpur) P.S. Case No. 387 of 2021 is hereby set aside and the appellant above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount to the satisfaction of the learned trial court where the case is pending/successor court in connection with Barachatti (Mohanpur) P.S. Case No. 387 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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