

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.556 of 2022

Arising Out of PS. Case No.-20 Year-2019 Thana- SC/ST District- Supaul

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1. Ranjit Kumar Pandey Son Of Shri Bindeshwar Pandey Resident Of Village- Dina Das Tola, P.O. And P.S.- Raghapur, District- Supaul.
 2. Bindeshwar Pandey Son Of Late Awadh Lal Pandey Resident Of Village- Dharmpatti, P.S.- Raghapur, District- Supaul.

... .. Appellant/s

Versus

1. The State Of Bihar
2. Mamta Devi Shree Manoj Paswan R/O Dinadas Tola, Ward No.-1, Simrahi, P.S.-raghopur, District Supaul

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Manoj Kumar Gupta, Adv.

For the Respondent/s : Mr. Binay Krishna, Spl. PP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 07-12-2022 Heard learned counsel for the appellants, learned counsel for the respondent No. 2 and learned Special Public Prosecutor for the State.

Learned counsel for the appellants is directed to remove the defects within four weeks.

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 03.09.2019, passed by learned Additional Sessions Judge-I- cum- Special Judge



Supaul in connection with SC/ST P.S. Case No. 20 of 2019, registered under Sections 341, 323, 380, 427, 354,(B), 504, 506, 34 of the Indian Penal Code and Section 3 (i) (r) (s) w (i) of SC / ST (POA) Act, 1987.

It is submitted by learned counsel for the appellants that the appellants are innocent and have been falsely implicated in this case. He submits that occurrence took place on 09.06.2019 but the FIR lodged on 23.06.2019. He submits that though there is allegation upon the appellants to abuse the informant's wife taking caste name but there is delay in filing the FIR. He further submits that appellants have four criminal antecedents as stated in para-3 of this appeal.

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

Considering the facts and circumstances of the case and the fact that there is delay in filing the FIR, let the above named appellants in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-I-cum-Special Judge,



Supaul in connection with Supaul SC/ST P.S. Case No. 20 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 the appeal is allowed.

(Anjani Kumar Sharan, J)

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