

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL APPEAL (SJ) No.595 of 2022

Arising Out of PS. Case No.-104 Year-2020 Thana- BARH District- Patna

Deepak Kumar Son Of Bachchan Singh Resident Of - Madadpur, P.S.-
N.T.P.C., District- Patna.

... .. Appellant/s

Versus

The State of Bihar

.. ... Respondent/s

Appearance :

For the Appellant/s : Mr.Manoj Kumar Pandey

For the Respondent/s : Mr.Usha Kumari I

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 28-07-2022 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State.

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 07.01.2022, passed by
learned A.D.J.-III-cum-Special Judge (SC/ST Act), Patna in
connection with N.T.P.C. (Barh) P.S. Case No. 104 of 2020,
registered under Sections 147, 148, 149, 152, 189, 332, 341,
342, 323, 325, 307, 353, 427, 435, 431, 504, 506 of the IPC, and
Sections 3(i) (r) (S)/ 3(2) (vA) of SC/ST Act.

As per allegation in the FIR, the informant is an ASI and
during day patrolling, appellant along with other co-accused
persons have created hindrance by blocking the road in
discharging the official duty.

It is submitted by learned counsel for the appellant that
the appellant is innocent and has not committed any offence. He



submits that no case under SC/ST Act is made out against the appellant. He submits that similarly situated co-accused have already been granted bail by coordinate benches of this Court in Cr. APP No. 4186 of 2021 on 30.06.2022 and Cr. APP No. 214 of 2022 on 14.07.2022. He further submits that appellant has no criminal antecedent as stated in para-3 of this appeal.

As the informant is a police personnel, therefore, notice is not required to him.

Considering the facts and circumstances of the case, let the above named appellant in the event of his 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) with two sureties of the like amount each to the satisfaction of the learned A.D.J.-III-cum-Special Judge (SC/ST Act), Patna in connection with N.T.P.C. (Barh) P.S. Case No. 104 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Accordingly, the impugned order is set aside and the appeal is allowed.

devendra/-

(Anjani Kumar Sharan, J)

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