

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.923 of 2022

Arising Out of PS. Case No.-13 Year-2020 Thana- SC/ST District- Madhubani

MD CHHOTU @ SADDAM HUSSAIN Son of Mdf. Jumman Resident of
Village - Maharajganj, Ward No.13, P.s.- Town, Distt.- Madhubani.

... .. Appellant/s

Versus

1. THE STATE OF BIHAR
2. Pramod Paswan Son of Gopi Paswan Resident of vill- Maharaj Ward 13
P.S.-Nagar Dist- Madhubani

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Md. Soban Asghar, Adv.
For the Respondent/s : Ms.Usha Kumari 1, Spl.P.P.

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

4 11-10-2022 Learned counsel for the appellant is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

Heard learned counsel for the appellant as well as

learned Spl.P.P. for the State.

This appeal has been preferred on behalf of the

appellant under Section 14-A(2) of the Scheduled Castes and

Scheduled Tribes (Prevention of Atrocities) Act for setting aside

the order dated 05.03.2021 passed by the learned 1st Additional

Sessions Judge, Madhubani in A.B.P. No. 221 of 2021 arising

out of SC/ST P.S. Case No. 13 of 2020, registered for the

offences punishable under Sections 341, 323, 325, 354, 379,



504, 506/34 of the Indian Penal Code & Section 3(i)(r)(s) of SC and ST (Prevention of Atrocities) Act, whereby the prayer for anticipatory bail of the appellants has been rejected.

As per allegation, when the appellant and co-accused Md. Jumman was passing through the courtyard of the informant, he prohibited them whereupon the appellant assaulted him with brickbats on his head and they also abused him by calling his caste name. The appellant snatched Rs. 2500/- from his pocket and Md. Jumman snatched golden chain from his wife's neck.

Learned counsel for the appellant has submitted that the appellant is a person of clean antecedent and the injury sustained by the informant is simple in nature.

Considering the above-mentioned facts and circumstances as well as the clean antecedent of the appellant, the appeal is allowed and the impugned order dated 05.03.2021 passed by the learned 1st Additional Sessions Judge, Madhubani is set aside.

Accordingly, in the event of arrest or surrender within four weeks from today, the appellant above-named, shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount



each to the satisfaction of learned 1st Additional Sessions Judge,
Madhubani in connection with SC/ST P.S. Case No. 13 of 2020.

Office shall ensure that all defects are removed by the
appellant within the stipulated time provided in para-1
hereinabove, failing which the matter shall be brought to the
notice of this Court.

(Nawneet Kumar Pandey, J)

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