

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2142 of 2021

Arising Out of PS. Case No.-91 Year-2020 Thana- SC/ST District- Araria

SIDHYANAND MISHRA Son of Late Chandranand Mishra Resident of
Village - Kali Bazar, Ward No.- 13, P.S. - Town Araria, Dist.- Araria

... .. Appellant/s

Versus

1. The State of Bihar Bihar
2. Chandan Paswan Son of Dayal Singh Paswan Resident of Village -
Madanpur, Ward No.- 11, P.S. - Madanpur, Dist.- Araria.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Sanjay Kumar
For the Respondent/s	:	Mr. Sadanand Paswan
For Res. No.2	:	Mr. Sudhir Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 05-07-2022 Heard learned counsel for the parties.

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 of anticipatory bail vide order dated 08.02.2021, passed by learned 1st Additional Sessions Judge-cum-Special Judge, Araria in connection with Spl (SC/ST) Case No.264/20, arising out of Araria SC/ST P.S. Case No.91/20, registered under Sections 341, 323, 379, 504, 506 and 34 of the Indian Penal Code and Section 3(i)(s) of the SC/ST Act.

The appellant and other co-accused persons are said to have abused the informant by naming his caste. The appellant is



said to have assaulted the informant by means of *dabiya* in his head causing bleeding injury on the head. The accused person also took out Rs.15,000/- from the pocket of the informant.

Learned counsel for the appellant submits that the appellant is innocent and has falsely been implicated in the present case. It is further submitted that the matter has been compromised between the parties. It is also submitted that the appellant has got no criminal antecedent as stated in paragraph-3 of the memo of appeal.

Learned Special P.P. for the State opposed the prayer for anticipatory bail of the appellant.

Learned counsel for the informant also submits that the matter has been compromised between the parties.

Having considered the fact that the matter has been compromised between the parties, let appellant, above named, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, be released 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 learned 1st Additional Sessions Judge-cum-Special Judge, Araria in connection with Spl (SC/ST) Case No.264/20, arising out of Araria SC/ST P.S. Case No.91/20,



subject to the conditions laid down under Section 438(2) of the
Cr.P.C.

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

(Anjani Kumar Sharan, J.)

Sanjay/-

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