

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2189 of 2021

Arising Out of PS. Case No.-2274 Year-2017 Thana- SIWAN COMPLAINT CASE District-
Siwan

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1. Jay Ram Yadav S/o Late Algu Yadav R/o village- Sarai Parauli, P.S.- Bhagwanpur Hat, District- Siwan.
 2. Parshuram Yadav S/o Ramanand Yadav R/o village- Sarai Parauli, P.S.- Bhagwanpur Hat, District- Siwan.

... .. Appellant/s

Versus

1. The State of Bihar.
2. Sarita Devi W/o Saroj Ram R/o village- Sarai Parauli, P.S.- Bhagwanpur Hat, District- Siwan.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Bijay Prakash Singh
For the Respondent/s	:	Mr. Sadanand Paswan
		Mr. Ajay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 26-04-2022 A supplementary affidavit has been filed by learned counsel for the appellants today in Court, the same is kept on record.

Heard learned counsel for the appellants and learned Special 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 of anticipatory bail vide order dated 24.02.2021, passed by learned 1st Additional Sessions Judge-cum-Special Judge, Siwan in connection with Special Case



No.03 of 2021, arising out of Complaint Case No.2274 of 2017, registered under Sections 341, 323, 354 (B) of the Indian Penal Code and Section 3(i)(iii)(x) of the SC/ST Act.

The appellants are said to have tried to outrage the modesty of the informant. The appellants are also said to have abused the informant and her husband by naming their caste.

Learned counsel for the appellants submits that the appellants are innocent and have falsely been implicated in the present case. There is admitted land dispute between the parties, therefore, the appellants have been made accused in the present case. Learned counsel for the appellants relies upon the judgment of the Hon'ble Supreme Court in the case of *Hitesh Verma vs. The State of Uttarakhand*, reported in (2020) 10 SCC 710.

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

Having considered the facts aforesaid, let appellants, above named, in the event of their arrest or surrender before the learned court below within a period of six weeks from today, be released on bail on furnishing bail bonds of Rs.25,000/- (rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge-



cum-Special Judge, Siwan in connection with Special Case No.03 of 2021, arising out of Complaint Case No.2274 of 2017, subject to the conditions as 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.)

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