

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2193 of 2021**

Arising Out of PS. Case No.-345 Year-2020 Thana- PALIGANJ District- Patna

1. Manish Kumar @ Manish Sharma Son of Sachidanand Sharma Resident of Village - Korara, P.S.- Paliganj, Distt.- Patna.
2. Munendra Kumar @ Munendra Sharma Son of Naresh Sharma @ Ramnaresh Singh Resident of Village - Korara, P.S.- Paliganj, Distt.- Patna.
3. Sachidanand Singh @ Sachidanand Sharma Son of Late Nageshwar Singh Resident of Village - Korara, P.S.- Paliganj, Distt.- Patna.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Shashank Shekhar

For the Respondent/s : Mr. Usha Kumari 1

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 25-04-2022 Heard learned counsel for the appellants and learned
Special P.P. for the State.

Though *Vakalantnama* has been filed on behalf of the
informant, but none appears on his behalf.

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
10.02.2021, passed by learned Additional District and Sessions



Judge-III-cum-Special Judge, SC/ST Act, Patna in connection with Paliganj P.S. Case No.345 of 2020, registered under Sections 420, 406 read with 34 of the Indian Penal Code and Sections 3 (2) (ra) of the SC/ST Act.

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. It is further submitted that no specific allegation is made against any of the appellants of abusing the informant by naming his caste. It is also submitted that occurrence took place inside the house, therefore, no case is made out under the SC/ST Act.

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 Additional District and Sessions Judge-III-cum-Special Judge, SC/ST Act, Patna in connection with Paliganj P.S. Case No.345 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 this appeal is allowed.

(Anjani Kumar Sharan, J.)

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