

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2680 of 2021

Arising Out of PS. Case No.-181 Year-2020 Thana- PUNAURA District- Sitamarhi

RAJA KUMAR S/O Ram Bharosh Ray Resident of Village - Khairwa, P.S.
Punaura, District - Sitamarhi.

... .. Appellant/s

Versus

1. THE STATE OF BIHAR.
2. Rajkumari Devi Wife of Rajkishore Das Resident of village-Khairwa, Ward
No-12, P.S-Punaura, District-Sitamarhi.

... .. Respondent/s

Appearance :

For the Appellant	:	Mr. Shailesh Kumar, Advocate
For the State	:	Ms. Usha Kumari 1, Special P.P.
For Res. No.2	:	Mr. Pushpendra Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 18-10-2022 Heard learned counsel for the appellant, learned
Special P.P. for the State as well as learned counsel appearing on
behalf of respondent no.2.

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
03.03.2021, passed by learned 1st Additional Sessions Judge-
cum-Special Judge, SC/ST (POA) Act, Sitamarhi in connection
with Punaura P.S. Case No.181 of 2020, registered under
Sections 341, 323, 307, 354(A), 379, 504 and 506/34 of the
Indian Penal Code and Sections 3(1)(r)(s) of the SC/ST Act.

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 appellant has got no criminal antecedent as stated in paragraph-3 of the memo of appeal. There is general and omnibus allegation against the appellant. It is submitted that there is nothing on record to show that the appellant has abused the informant by naming her caste. It is further submitted that the injuries sustained by the informant are simple in nature.

Learned Special P.P. for the State as well as learned counsel appearing on behalf of respondent no.2 opposed the prayer for anticipatory bail of the appellant.

Taking into consideration the fact that the injuries sustained by the informant are simple in nature and there is nothing on record to show that the appellant has abused the informant by naming her caste, 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 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 learned 1st Additional Sessions Judge-cum-Special Judge, SC/ST (POA) Act, Sitamarhi in connection with Punaura P.S. Case No.181 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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