

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1505 of 2022

Arising Out of PS. Case No.-8 Year-2021 Thana- SC/ST District- Vaishali

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1. ARUN KUMAR SINGH @ THAGAN Son of Rameshwar Singh @ Bherba Resident of Village - Sadullahpur, P.s.- Ganga Bridge, Distt.- Vaishali.
 2. Jitendera Kumar Son of Rameshwar Singh @ Bherba Resident of Village - Sadullahpur, P.s.- Ganga Bridge, Distt.- Vaishali.

... .. Appellant/s

Versus

1. The State of Bihar
2. Rajiv Kumar Son of Mishrilal Paswan Resident of Village - Chakful , O.P.- Panapur Dharampur, P.s.- Ganga Bridge, Distt.- Vaishali.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Yugal Kishore
For the Respondent/s : Mr.Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

2 04-08-2022 Learned counsel for the appellants is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the appellants and the learned counsel for the informant.

This appeal has been preferred on behalf of the appellant under Section 14-A (2) of the SC & ST (Prevention of Atrocities) Act for setting aside the order dated 14.03.2022 in connection with SC/ST P.S.Case No. 08 of 2021, registered for the offences punishable under Sections 341, 323, 504/34 of the Indian Penal Code and Sections 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 informant was coming to his house, the accused persons assaulted and abused him by calling his caste name.

Learned counsel for the appellants has submitted that the entire allegation is false. There is delay of two months in lodging of the FIR and the appellants are the persons of clean antecedent. He has submitted further that when the informant perceived that the appellants have falsely been implicated, he compromised the case.

Learned counsel for the informant also conceded that both the parties have compromised the case.

Considering the facts and circumstances, the appeal is allowed and the impugned order dated 14.03.2022 is set aside.

Accordingly, in the event of arrest or surrender within four weeks from today, the appellants, above-named shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/-(ten thousand) each, with two sureties of the like amount each to the satisfaction of learned Special Judge, SC/ST, Vaishali at Hajipur in connection with SC/ST P.S.Case No. 08 of 2021.



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

(Nawneet Kumar Pandey, J)

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