

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL APPEAL (SJ) No.1603 of 2022**

Arising Out of PS. Case No.-339 Year-2020 Thana- RUNISAIDPUR District- Sitamarhi

1. VICKY KUMAR SON OF SHAMBHU PRASAD SINGH @ SHAMBHU SINGH R/O VILLAGE- MADHAUL, P.S.- RUNNISAIDPUR, DISTRICT- SITAMARHI
2. SHAMBHU PRASAD SINGH @ SHAMBHU SINGH SON OF DEVNANDAN SINGH R/O VILLAGE- MADHAUL, P.S.- RUNNISAIDPUR, DISTRICT- SITAMARHI
3. MUNNA KUMAR SINGH @ MUNNA SINGH SON OF SHYAM SINGH R/O VILLAGE- MADHAUL, P.S.- RUNNISAIDPUR, DISTRICT- SITAMARHI
4. KUNAL GAURAV SON OF RAM BABU SINGH R/O VILLAGE- MADHAUL, P.S.- RUNNISAIDPUR, DISTRICT- SITAMARHI
5. RAGHU RAJ SINGH SON OF SIYABAR SINGH R/O VILLAGE- MADHAUL, P.S.- RUNNISAIDPUR, DISTRICT- SITAMARHI

... .. Appellant/s

Versus

1. The State of Bihar
2. RAJENDRA RAM SON OF JOGI RAM R/O VILLAGE- BAHRAM NAGAR, POST- BHANASPATTI, P.S.- RUNNISAIDPUR, DISTRICT- SITAMARHI

... .. Respondent/s

**Appearance :**

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|----------------------|---|-----------------------------------------------------------|
| For the Appellant/s  | : | Mr.Pushpendra Kumar Singh, Adv.<br>Mrs.Divya Bharti, Adv. |
| For the Respondent/s | : | Mrs.Usha Kumari 1, Spl.P.P.                               |

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

2      04-08-2022      Heard learned counsel for the appellants, learned counsel for the respondent no.2 and learned Special Public Prosecutor for the State.

Learned counsel for the appellants undertakes to remove the defects within three weeks. In the eventuality of non-



removal of defects within undertaken period, the office will place the matter before the Bench.

This is an appeal under section 14A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015 (hereinafter in short referred to as the 'SC/ST Act') against the refusal of prayer for anticipatory bail vide order dated 08.02.2021, passed by learned 1<sup>st</sup> Additional Sessions Judge-cum- Spl. Judge, SC/ST (POA) Act, Sitamarhi, in connection with Runnisaipur P.S. Case No.339 of 2020, registered under sections 341, 323, 325, 307, 504, 447/34 of the IPC and sections 3(I)(r)(s) (w) of the SC/ST Act.

Allegedly, the FIR named accused persons including the appellants came at the door of the informant and abused him by taking caste name. When he forbade them, they started abusing loudly and assaulted the informant indiscriminately with an intention to kill him. When the informant's nephew, sister-in-law and wife came for rescue, they were also assaulted.

It is submitted by learned counsel for the appellants that the appellants are innocent and have not committed any offence. No such occurrence as alleged has ever taken place. Appellants have been falsely implicated in the case with frivolous allegation. It is submitted that there is general and omnibus



allegation against the appellants. It is further submitted that the parties have compromised the case. Appellants have no criminal antecedent.

Learned Spl. PP for the State and learned counsel for the respondent no.2 have not disputed this fact that the parties have compromised the case.

Considering the compromise between the parties, the appellants named above, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, is directed to be released on bail on furnishing bail bond of Rs.25,000/- (Rs. Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned 1<sup>st</sup> Additional Sessions Judge-cum- Spl. Judge, SC/ST (POA) Act, Sitamarhi, in connection with Runnisaidpur P.S. Case No.339 of 2020, subject to the condition 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)**

pallavi/-

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