

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2869 of 2021

Arising Out of PS. Case No.-768 Year-2020 Thana- SONEPUR District- Saran

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1. ANIL RAI S/o- Anandi Rai Resident of Village- Sabalpur, P.S.- Sonepur, District- Saran, Bihar.
 2. Tribhuwan Rai S/o- Jogendra Rai Resident of Village- Sabalpur, P.S.- Sonepur, District- Saran, Bihar.
 3. Satrughana Rai S/o- Jogendra Rai Resident of Village- Sabalpur, P.S.- Sonepur, District- Saran, Bihar.
 4. Bishu Rai S/o- Jogendra Rai Resident of Village- Sabalpur, P.S.- Sonepur, District- Saran, Bihar.

... .. Appellant/s

Versus

1. The State of Bihar
2. Asarfi Paswan Late Marai Paswan R/O Village-Sabalpur, P.S.-Sonepur, District-Saran, Bihar

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. N.K. Agrawal, Sr. Adv Ms. Preety Kunwar, Adv
For the Respondent/s	:	Mrs. Usha Kumari 1, Spl.P.P. Mr. Braj Nandan Kumar Tiwary, Adv

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 20-09-2022 Heard the parties.

This is an appeal under section 14 (A) (2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act (hereinafter in short referred to as the ‘SC/ST Act’) against the refusal of prayer for anticipatory bail vide order dated 17.06.2019, passed by learned 1st Additional Judge-cum-Special Judge, SC/ST (POA) Act Saran at Chapra in connection with Sonepur P.S. Case No.768 of 2020 registered



under sections 144, 341, 323, 324, 325, 307, 354(B), 379, 504, 506 of the Indian Penal Code and 3(i)(r) (s) of S.C./S.T. (POA)Act.

Allegedly, the appellants and other accused persons abused and assaulted the informant and his family members due to which they sustained injuries.

Learned senior Counsel for the appellants submits that appellants are innocent and have been falsely implicated in the present case. No such occurrence as alleged has ever taken place. There is general and omnibus allegation against all the accused persons. There is no specific overt act against the appellants. He further submits that there is a compromise between the parties and this fact is also supported by the learned counsel for the respondent no.2. The appellants have no criminal antecedent.

Considering the facts and circumstances of the case, since there is a compromise between the parties, let 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, 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 Additional



Sessions Judge cum Special Judge S.C./S.T.(POA) Act, Saran at Chapra, in connection with Sonepur S.C./S.T. P.S. Case No.768 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)

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