

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2949 of 2021**

Arising Out of PS. Case No.-19 Year-2021 Thana- PHULPARAS District- Madhubani

=====

Trilok Thakur Son Of Late Udit Thakur Resident Of Village - Belmohan, P.S.-
Phulparas, District - Madhubani.

... .. Appellant/s

Versus

1. The State of Bihar
2. Urmila Devi wife of Bitrul Paswan Resident of village-Belmohan, P.S.-
Phulparas, District- Madhubani

... .. Respondent/s

=====

Appearance :

For the Appellant/s : Mr.Subhash Kumar Jha
For the Respondent/s : Mr. Binay Krishna

=====

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 11-08-2022 Heard learned counsel for the appellant and learned

Special Public Prosecutor for the State. Though the Vakalantnam
has already been filed by the respondent no. 2 but no one appears
on her behalf.

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 bail vide order dated 17.06.2021, passed
by learned Additional Sessions Judge-1st, Madhubani in
connection with Phulparash P.S. Case No. 19 of 2021, registered
under Section 504 of the IPC and Sections 3(i) (r) (s) of SC/ST
Act.

It is submitted by learned counsel for the appellant that the
appellant is innocent and has been falsely implicated in this case
due to land dispute. He submits that the appellant is aged about 68
years of old and in such age no any person can commit such type



of offence as alleged in the FIR. He submits that no case under SC/ST Act is made out against the appellant. He further submits that appellant has no criminal antecedent as stated in para-3 of this appeal.

Learned Spl. PP for the State opposes the prayer for bail.

In view of the decision rendered in the case of **Hitesh Verma Vs. State Of Uttarakhand & Anr. reported in (2020) 10 SCC 710**, let the above named appellant 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 the learned Additional Sessions Judge 1st cum Special Judge SC/ST Act, Madhubani in connection with Phulparash P.S. Case No. 19 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

Accordingly, the impugned order is set aside and the appeal is allowed.

(Anjani Kumar Sharan, J)

devendra/-

U		T	
---	--	---	--

