

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3096 of 2021**

Arising Out of PS. Case No.-194 Year-2020 Thana- EKMA District- Saran

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1. Bindhyachal Chaudhur @ Vindhayachal Chaudhari @ Vindhaychal Chaudhary Son of Late Gajadhar Chaudhary Resident of Village - Bhundhari, P.S. - Ekma, District - Saran.
 2. Naval Kishore Chaudhur @ Naval Kishore Chaudhari Son of Bindhyachal Chaudhur @ Vindhayachal Chaudhari @ Vindhaychal Chaudhary Resident of Village - Bhundhari, P.S. - Ekma, District - Saran.

... .. Appellant/s

Versus

1. THE STATE OF BIHAR.
2. Ramawati Devi Wife of Sawali Ram Resident of village-Bhundhari,P.S-Ekma,District-Saran

... .. Respondent/s

Appearance :

For the Appellants	:	Mr. Shashank Chandra, Advocate
For the State	:	Mr. Sadanand Paswan, Special P.P.
For Res. No.2	:	Mr. Avanish Kumar Singh, Advocate

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

- 3 18-10-2022 Heard learned counsel for the appellants, 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 01.07.2021, passed by learned Additional Sessions Judge-I-cum-Special Judge, SC/ST (POA) Act, District Saran in connection with Ekma P.S. Case No.194 of 2020, registered



under Sections 341, 323, 504, 506, 354 read with 34 of the Indian Penal Code and Section 3(1)(r)(s)(w)(i) and 3(2)(va) of the SC/ST Act.

Learned counsel for the appellants submits that the appellants are innocent and have falsely been implicated in the present case. It is further submitted that the appellants have got no criminal antecedent as stated in paragraph-3 of the memo of appeal. It is submitted that though there is allegation against the appellants that they abused the informant by naming her caste, but the present FIR is a counterblast of Ekma P.S. Case No.198 of 2020 instituted by appellant no.2 against the relatives of the informant.

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 appellants.

Taking into consideration the facts aforesaid, let appellants, above named, in the event of their arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bonds of Rs.25,000/- (rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-I-cum-Special Judge, SC/ST (POA)



Act, District Siwan, Chapra in connection with Ekma P.S. Case
No.194 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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