

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3144 of 2021

Arising Out of PS. Case No.-220 Year-2020 Thana- BHAWANIPUR District- Purnia

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1. PRASHANT KUMAR Son of Sunil Mandal Resident of Village - Sindhiyan Pashchim Tola, P.S. - Bhawanipur, District - Purniya.
 2. Nitish Kumar Son of Ganesh Mandal Resident of Village - Sindhiyan Pashchim Tola, P.S. - Bhawanipur, District - Purniya.
 3. Rahul Kumar Son of Sunil Mandal Resident of Village - Sindhiyan Pashchim Tola, P.S. - Bhawanipur, District - Purniya.
 4. Sunil Mandal Son of Ramdev Mandal Resident of Village - Sindhiyan Pashchim Tola, P.S. - Bhawanipur, District - Purniya.

... .. Appellant/s

Versus

1. The State of Bihar.
2. Pappu Paswan son of Bhuneshwar Paswan Resident of village- Durgapur, P.S.- Bhawanipur, District- Purnia.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Umesh Chandra Verma
For the Respondent/s : Mr.Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 17-10-2022 Heard learned counsel for the appellants and learned
Special Public Prosecutor for the State.

By order dated 10.05.2022, notice was issued to respondent no.2. The office points out that notice issued upon respondent no.2 was received by his wife and respondent no.2 has gone to Rajasthan.

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 19.03.2021, passed by learned 1st Additional Sessions Judge-cum-Special Judge, SC/ST (POA) Act, Purniya in connection with Bhawanipur P.S. Case No.220 of 2020, registered under Sections 341, 323, 324, 325, 307, 379, 354, 504, 506 and 34 of the Indian Penal Code and Section 3(1)(r)(s) 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 the matter has been compromised between the parties.

Learned Special P.P. for the State opposed the prayer for anticipatory bail of the appellants.

Taking into consideration the fact that matter has been compromised between the parties, 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 released 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 1st Additional Sessions Judge-cum-Special Judge, SC/ST (POA) Act, Purniya in connection with



Bhawanipur P.S. Case No.220 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)

Sanjay/-

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