

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3265 of 2021**

Arising Out of PS. Case No.-135 Year-2021 Thana- CHAPRA TOWN District- Saran

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1. Ritesh Kumar Son of Nageshwar Prasad Resident of Mohalla Mohan Nagar, P.S.- Chapra Town, District- Saran at Chapra.
 2. Chandan Kumar @ Pinku Kumar Son of Nageshwar Prasad Resident of Mohalla Mohan Nagar, P.S.- Chapra Town, District- Saran at Chapra.
 3. Binod Kumar Gupta @ Binod Kumar S/o Late Bishwanath Sah Resident of Mohalla Mohan Nagar, P.S.- Chapra Town, District- Saran at Chapra.
 4. Priyanshu Kumar S/o Manoj Kumar Gupta Resident of Mohalla Mohan Nagar, P.S.- Chapra Town, District- Saran at Chapra.
 5. Kunal Kumar @ Raja Kumar S/o Manoj Kumar Gupta Resident of Mohalla Mohan Nagar, P.S.- Chapra Town, District- Saran at Chapra.

... .. Appellant/s

Versus

1. The State of Bihar.
2. Prem Kumar Kedar Nath Chaudhary Resident of Village-Mauna Mohan Nagar, P.S.-Chapra Town, District-Saran at Chapra.

... .. Respondent/s

Appearance :

For the Appellants	:	Mr. Rajani Kumari, Advocate
For the State	:	Mr. Usha Kumari 1, Special P.P.
For Res. No.2	:	Mr. Kumar Vishoka Nand, Advocate

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

3 17-10-2022 Heard learned counsel for the appellants, learned Special Public Prosecutor for the State and learned counsel appearing on behalf of the informant.

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 04.05.2021, passed by learned 1st Additional Sessions Judge-



cum-Special Judge, SC/ST (POA) Act, Saran at Chapra in connection with Chapra Town P.S. Case No.135 of 2021, registered under Sections 341, 323, 504 and 34 of the Indian Penal Code and Sections 3 (1)(r) 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 there is case and counter case between the parties and the matter has been compromised between them.

Having considered the fact that the 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, Saran at Chapra in connection with Chapra Town P.S. Case No.135 of 2021, 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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