

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3417 of 2021**

Arising Out of PS. Case No.-280 Year-2021 Thana- SUPAUL District- Supaul

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1. FULO DEVI @ FULAN DEVI W/o Parmeshwar Paswan Resident of Village - Baruari, Ward No.5, P.S.- and Distt.- Supaul.
 2. Ratan Singh Son of Satya Narayan Singh Resident of Village - Baruari, Ward No.5, P.S.- and Distt.- Supaul.
 3. Prashant Singh Son of Ratan Singh Resident of Village - Baruari, Ward No.5, P.S.- and Distt.- Supaul.

... .. Appellant/s

Versus

1. THE STATE OF BIHAR
2. Laxmi Paswan R/V- Baruari Ward no-2 P.S.- Supal Dist- Supal

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Vivek Kumar, Adv.
For the Respondent/s	:	Mrs.Usha Kumari No.1, Spl.P.P.
For the Informant	:	None

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

3 22-09-2022 Heard learned counsel for the appellants and learned
Special Public Prosecutor for the State.

Though vakalatnama is filed on behalf of respondent no.2
but when the case is called out, nobody appears on his behalf.

This is an appeal under section 14(A) 2 of the Scheduled
Castes and Scheduled Tribes (Prevention of Atrocities) Act,
2015 (hereinafter in short referred to as the 'SC/ST Act') against
the refusal of prayer for anticipatory bail vide order dated
11.06.2021, passed by learned Additional District and Sessions
Judge-I,-cum- Spl. Judge, Supaul, in connection with Supaul



P.S. Case No.280 of 2021, registered under sections 341, 323, 379, 504 and 506 of the IPC and sections 3(i)(r) of SC/ST Act.

Allegedly, the F.I.R. named accused persons including the appellants due to a land dispute, assaulted the informant.

It is submitted by learned counsel for the appellants that the appellants are innocent and have not committed any offence. No such occurrence, in the manner as alleged has ever taken place. Appellants have been falsely implicated in the case with frivolous allegation. It is submitted that there is a land dispute between the parties, as such, no offence under the SC/ST Act is applicable against the appellants in view of the judgment as reported in **(2020) 10 SCC 710** in the case of ***Hitesh Verma Vs. State of Uttarakhand & Anr.*** Appellants have no criminal antecedent.

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

Considering the facts and circumstances of the case, 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, are directed to 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 1st Additional District and Sessions Judge-cum- Spl. Judge,



SC/ST (POA) Act, Supaul, in connection with Supaul P.S. Case No.280 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 this appeal is allowed.

(Anjani Kumar Sharan, J)

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