

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3445 of 2021**

Arising Out of PS. Case No.-13 Year-2021 Thana- CHAINPUR District- Kaimur (Bhabua)

1. Santosh Singh Patel @ Santosh Singh S/O Late Amerdev Singh R/O Village Sherpur, P.S. Chainpur, District Kaimur At Bhabua.
2. Rajan Singh Patel S/O Sharwan Singh R/O Village Kamta, P.S. Bhabua, District Kaimur At Bhabua.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Tribhuwan Narayan
For the Respondent/s	:	Mr. Binay Krishna

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

2 30-06-2022 Heard learned counsel for the appellants, informant and learned Special Public Prosecutor for the State.

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 26.07.2021, passed by learned Additional District and Sessions Judge-1st-cum-Special Judge, Kaimur at Bhabua in connection with Chainpur P.S. Case No. 13 of 2021, registered under Sections 341, 323, 504, 467, 468, 325 of the IPC and Sections 3(i) (s) (w) of SC/ST Act.

Appellants are said to have abused the informant by taking caste name.

It is submitted by learned counsel for the appellants that



the appellants is innocent and have been falsely implicated in this case. He submits that there is general and omnibus allegation levelled against the appellants. He submits that though occurrence took place on 11.06.2019 but medical prescription of one Vikash Kumar, who is witness no. 1 of the complaint petition, is annexed as part of the complaint case wherein it reveals that Vikash Kumar has obtained medical prescription from Dr. Nath Tiwary on 10.06.2019. He further submits that appellants have no criminal antecedent as stated in para-3 of this appeal.

Learned Spl. PP for the State and informant oppose the prayer for bail and submit that the appellants are also involved in the present case.

Considering the facts and circumstances of the case, the above named appellants 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 bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-1st-cum-Special Judge, Kaimur at Bhabua in connection with Chainpur P.S. Case No. 13 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)

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