

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3450 of 2021

Arising Out of PS. Case No.-30 Year-2021 Thana- SAKRA District- Muzaffarpur

1. SHEELA DEVI Wife of Lal Bahadur Singh Resident of Village - Eteha, P.S.- Sakara, Distt.- Muzaffarpur.
2. DEB KUMAR SINGH Son of Lal Bahadur Singh Resident of Village - Eteha, P.S.- Sakara, Distt.- Muzaffarpur.
3. GOLU SINGH Son of Lal Bahadur Singh Resident of Village - Eteha, P.S.- Sakara, Distt.- Muzaffarpur.
4. RINA DEVI Wife of Lal Mohan Singh Resident of Village - Eteha, P.S.- Sakara, Distt.- Muzaffarpur.
5. DEEPAK KUMAR Son of Lal Mohan Singh Resident of Village - Eteha, P.S.- Sakara, Distt.- Muzaffarpur.
6. SANGEETA DEVI Wife of Dharmendra Singh Resident of Village - Eteha, P.S.- Sakara, Distt.- Muzaffarpur.

... .. Appellant/s

Versus

1. The State of Bihar.
2. Birju Kumar Son of Sundeshwar Ram resident of village- Itaha, P.S.- Sakara, District- Muzaffarpur.

... .. Respondent/s

Appearance :

For the Appellants	:	Mr. Alok Kumar Alok, Advocate
For the State	:	Mr. Binay Krishna, Special P.P.
For the Informant	:	Mr. Hans Lal Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 17-10-2022 Heard learned counsel for the appellants, learned Special P.P. for the State as well as learned counsel for 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



06.04.2021, passed by learned IIIrd Additional Sessions Judge-cum-Special Judge, SC/ST (POA) Act, Muzaffarpur in connection with Sakra P.S. Case No.30 of 2021, registered under Sections 341, 323, 307, 504, 506 and 147 of the Indian Penal Code and Sections 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 there is general and omnibus allegation against the appellants. There is nothing on record to show that the appellants have abused the informant by naming his caste. It is further submitted that the both sides are on inimical terms with each other, therefore, the appellants have been made accused in the present case.

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

Having considered the fact that there is nothing on record to show that the appellants have abused the informant by naming his caste, 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 IIIrd Additional Sessions Judge-cum-Special Judge, SC/ST (POA) Act, Muzaffarpur in connection with Sakra P.S. Case No.30 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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