

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3514 of 2021

Arising Out of PS. Case No.-316 Year-2019 Thana- KHAJANCHI HAT District- Purnia

Narayan Singh Son Of Late Machhu Singh Resident Of Village - Thadha,
Harda, P.S.- K. Hat (Maranga), District - Purnea

... .. Appellant/s

Versus

1. The State of Bihar
2. Gayatri Devi Wife of Anil Paswan Resident of village- Mehta chowk, P.S.-
K.Hat (Maranga) Dist- Purnia

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Amit Kumar Anand
For the Respondent/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 14-12-2022 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State.

Learned counsel for the State submits that he has informed the informant/opposite party no. 2 through SHO concerned but nobody appears on her behalf.

Learned counsel for the appellant undertakes to remove the defects, if any, as pointed out by the office within three weeks.

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 15.07.2021 passed by learned 1st Additional Sessions Judge-cum-Special Judge SC/ST



Act, Purnea in connection with K. Hat (Maranga) P.S. Case No. 316 of 2019, registered under Sections 147, 148, 149, 341, 323, 325, 379, 504, 506 of the IPC and Sections 3(i) (r) of SC/ST Act.

It is submitted by learned counsel for the appellant that the appellant is innocent and has been falsely implicated in this case. He submits that there is case and counter case in between the parties. He submits that there is no specific overt act against the appellant to abuse the informant by taking caste name. He submits that the similarly situated co-accused has already been granted bail by coordinate Bench of this Court vide order dated 05.11.2019 passed in Cr. APP (SJ) No. 4695 of 2019 and order dated 09.03.2021 passed in Cr. APP (SJ) No. 823 of 2020. He further submits that appellant has no criminal antecedent as stated in para-3 of this appeal.

However, learned Spl. P.P. for the State opposes the prayer for bail.

Considering the facts and circumstances of the case, let the above named appellant in the event of his 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) with two



sureties of the like amount each to the satisfaction of the learned 1st Additional Sessions Judge-cum-Special Judge SC/ST Act, Purnea in connection with K. Hat (Maranga) P.S. Case No. 316 of 2019, 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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