

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3536 of 2021**

Arising Out of PS. Case No.-12 Year-2021 Thana- RIVILGANJ District- Saran

1. AJEET PRASAD @ AJIT KUMAR S/o Sri Nath Prasad R/o village- Chhotka Baiju Tola Sitab Diyara, P.S.- Revilganj, Distt.- Saran at Chapra
2. Sanjay Prasad S/o Rajendra Prasad R/o village- Chhotka Baiju Tola Sitab Diyara, P.S.- Revilganj, Distt.- Saran at Chapra

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Nawal Kishore Singh
For the Respondent/s : Mr. Sadanand Paswan

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

5 21-12-2022 Heard the parties.

Vide order dated 31.08.2022, the present appeal was directed to be listed alongwith Cr. App (SJ) No.3381 of 2021. When Cr.App (SJ) No.3381 of 2021 was heard on 01.11.2022, the present appeal was not listed alongwith it, but the learned counsel for the respondent no.2 had appeared in Cr.App(SJ) No.3381 of 2021. Considering the fact that the learned counsel for respondent no.2 had already appeared in Cr. App(SJ) No.3381 of 2021 and the same was disposed of on 01.11.2022 after hearing the learned counsel for respondent no.2, notice is not required to be issued.

This is an appeal under section 14(A) of the Scheduled



Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter in short referred to as the 'SC/ST Act') against the refusal of prayer for anticipatory bail vide order dated 09.07.2021, passed by learned Additional Sessions Judge-cum-Special Judge SC/ST (POA) Act, Saran at Chapra in connection with Revilganj P.S. Case No.12 of 2021, registered under sections 341, 323, 354(B)/504/34 of the IPC and sections 3(I)(r)(s)(w) of the SC and ST (POA) Act.

It is submitted by learned counsel for the appellant that the appellant is innocent and has not committed any offence. No such occurrence as alleged ever taken place. Appellants have been falsely implicated in the case with frivolous allegation. He further submits that several similarly situated co-accused persons have been granted anticipatory bail by this Court vide order dated 01.11.2022 passed in Cr. App(SJ) No.3321 of 2021. Appellants have no criminal antecedent.

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

Considering the facts and circumstances of the case, as similarly situated co-accused persons have been granted anticipatory bail by this Court, 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, is 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 Additional Sessions Judge-cum-Special Judge SC/ST (POA) Act, Saran at Chapra in connection with Revilganj P.S. Case No.12 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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