

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3752 of 2021**

Arising Out of PS. Case No.-307 Year-2020 Thana- UDAKISHUNGANJ District-
Madhepura

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JOGI PODDAR S/o Late Bnarsi Poddar R/o village- Domarahi, P.S.-
Udakishanganj, Distt.- Madhepura

... .. Appellant/s

Versus

1. The State of Bihar
2. Dasrath Rsidev Late Ganga Rsidev R/O Village-Domahari, Ward No.-2,
P.S.-Udakishunganj, District-Madhepura

... .. Respondent/s

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Appearance :

For the Appellant/s	:	Mr. Kumari Sujata Sinha, Advocate
For the Respondent/s	:	Mr. Sadanand Paswan, Spl. PP
For the Informant	:	Mr. Pawan Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

5 07-09-2022

Heard learned counsel for the parties.

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 for anticipatory bail vide order dated 19.06.2021 in A.B.P. No. 497 of 2021 passed by the learned 1st Additional Sessions Judge, Madhepura in connection with Udakishanganj P.S. Case No. 307 of 2020 registered under Sections 307/120(B)/34/326, 302 of the Indian Penal Code as well as Section 3(v) of the SC/ST Act and Section 27 of the Arms Act.

Learned counsel for the appellant submits that appellant has antecedent of 11 cases in which the appellant was acquitted in six cases and in four cases he is on bail and in one case he was convicted for a period of two years. Learned counsel further submits that



appellant is the father of Pawan Kumar and Sajjan Poddar @ Sajjan Poddar who have been granted anticipatory bail vide order dated 07.09.2022 passed in Cr. Appeal (SJ) No. 3743 of 2021. Learned counsel next submits that being the father of the aforesaid accused persons, the appellant has been falsely roped in the present case and is aged about 75 years.

Learned Special Public Prosecutor opposed the prayer for anticipatory bail.

Considering the submissions of the learned counsel for the appellant in Cr. Appeal (SJ) No. 3743 of 2021, let the appellant, above named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs.5,000/- (rupees five thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending in connection with the aforesaid case, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Accordingly, the impugned order is set aside and this appeal stands allowed.

(Satyavrat Verma, J)

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