

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.449 of 2021

Arising Out of PS. Case No.-224 Year-2020 Thana- NAANPUR District- Sitamarhi

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1. Mohan Kumar @ Mohan Yadav Son Of Changal Yadav
 2. Randhir Kumar @ Randhir Rai Son Of Late Kailash Rai
 3. Dileep Kumar @ Dileep Yadav Son Of Changal Yadav
 4. Harendra Kumar @ Harendra Rai Son Of Nagendra Rai Resident Of Village - Bahurar, P.S.- Nanpur, Distt.- Sitamarhi.
 5. Mahrud Kumar @ Mahrud Rai Son Of Nagendra Rai
 6. Sanjeet Yadav @ Sanjeet Rai Son Of Pukar Rai
 7. Sudhir Kumar @ Sudhir Yadav Son Of Late Kailash Yadav All Resident Of Village - Bahurar, P.S.- Nanpur, Distt.- Sitamarhi.

... .. Appellant/s

Versus

1. The State Of Bihar
2. Reena Kumari Rohit Mandal R/O Village-Bahurar, P.S. - Nanpur, District-Sitamarhi

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Amit Kumar Jha
For the State	:	Mr. Sadanand Paswan
For the Informant	:	Mr. Mohit Shrivastava

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 22-03-2022 Heard learned counsel for the appellants 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 22.09.2020, passed by learned 1st Additional District Judge-cum-Special Judge (SC/ST Act), Sitamarhi in connection with Nanpur P.S. Case No. 224 of 2020, registered under Sections 341, 323, 324, 354, 379, 504, 506/34 of the IPC and Sections 3 (1) (r) (s) (w) of the SC/ST Act.



Appellants are said to have abused the informant by taking caste name and also assaulted by means of fists and slaps and brick.

It is submitted by learned counsel for the appellants that the appellants are innocent and have been falsely implicated in this case. He submits that a compromise has been done between the parties. This fact has also been accepted by the learned counsel for the informant. He further submits that appellants have no criminal antecedent as stated in para-3 of this appeal.

Learned Spl. PP for the State opposes the prayer for bail.

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 1st Additional District Judge-cum-Special Judge (SC/ST Act), Sitamarhi in connection with Nanpur P.S. Case No. 224 of 2020, 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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