

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2845 of 2022

Arising Out of PS. Case No.-138 Year-2015 Thana- BAKHTIYARPUR District- Patna

Krishna Singh @ Krishna Yadav Son Of Lalit Yadav Resident Of Village -
Laxmanpur, Police Station- Bakhtiyarpur, District - Patna.

... .. Appellant/s

Versus

1. The State of Bihar
2. Rajvardhan Retired Deputy Collector Son of Ram Chandra Ram Resident of Mohalla- Pokhara, Gandhi Chowk, Hajipur, Police Station- Town, District - Vaishali.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Raj Krishan Jha, Advocate

For the Respondent/s : Mr. Sadanand Paswan, Special P.P.

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 08-12-2022 Heard learned counsel for the appellant, learned Special
Public Prosecutor and perused the case diary.

The present appeal is directed against the order dated 06.05.2022 passed by learned Special Judge, SC/ST, Patna in a case registered for the offence punishable under Sections 147, 341, 323, 353, 307, 427 and 504 of the Indian Penal Code and Sections 3(1)(x) of the SC/ST, Act whereby anticipatory bail of the appellant has been rejected.

Allegedly, it is a case of assault upon the informant while he was going to attend a meeting of election at its Headquarter at Patna by the mob and the name of the appellant came into light during investigation.

It is submitted by learned counsel for the appellant that



the FIR was lodged against unknown and the provision of SC/ST Act is not attracted because there is no intention of the appellant to insult the informant who is a member of the SC/ST community. There is no injury report of injured person. Appellant has clean antecedent.

Learned counsel for the Special Public Prosecutor on the other hand opposes the prayer for anticipatory bail.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the Court is inclined to allow this appeal. Accordingly, the instant appeal is allowed and the impugned order dated 06.05.2022 passed in ABP Case No.8225 of 2021 is hereby set aside.

The appellant is directed to be enlarged on anticipatory bail in the event of their arrest or surrender before the court below within a period of four weeks on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, SC /ST, Patna in connection with Special Case NO. 578 of 2018 arising out of Bakhtiyarpur P.S. case No. 138 of 2015.

(Sunil Kumar Panwar, J)

Brajesh Kumar/-

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