

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2881 of 2022

Arising Out of PS. Case No.-68 Year-2022 Thana- RAUTA District- Purnia

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HAJI MASLAUDDIN @ MASLEHUDDIN SON OF LATE SAVOUDDIN
R/O- RASULGANJ, P.S.- RAUTA, DISTRICT- PURNIA

... .. Appellant/s

Versus

1. The State of Bihar
2. YOGENDRA RAM SON OF LATE BINO RAM R/O- RASULGANJ, P.S.-
RAUTA, DISTRICT- PURNIA

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Sanjeev Kumar Singh
For the Respondent/s : Mr.Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 30-11-2022 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State.

Learned counsel for the appellant undertakes to
remove the defects within four weeks. In the eventuality of non-
removal of defects within undertaken period, the office will
place the matter before the Bench.

Learned Spl. P.P. for the State submits that he has
already informed the respondent/informant no.2 through the
concerned Superintendent of Police but nobody appeared on
behalf of the respondent no.2/informant.

This is an appeal under Section 14(a)(2) 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 of anticipatory bail vide order dated 29.06.2022 passed by learned 1st A.D.J.-cum-Special Judge, SC/ST Act, Purnia in connection with Rauta P.S. Case No. 68 of 2022 registered under Sections 341, 323, 504 and 34 of the Indian Penal Code and Section 3(i)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

It is submitted by learned counsel for the appellant that the appellant have no concern with the aforesaid occurrence. He has been falsely implicated in the case. The occurrence takes place on 25.04.2022 but the present F.I.R. is lodged on 11.05.2022 after delay of more than 15 days without any explanation of delay. It is clear from the impugned order that injuries found upon the victim is simple in nature. Appellant has no criminal antecedent as mentioned in para-3 of memo of appeal.

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

In the facts and circumstances of the case, 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 learned 1st A.D.J.-cum-Special Judge, SC/ST Act, Purnia in connection with Rauta P.S. Case No. 68 of 2022, 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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