

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL APPEAL (SJ) No.522 of 2021**

Arising Out of PS. Case No.-1 Year-2019 Thana- GAYA MUFASIL District- Gaya

1. Sanjeev Kumar @ Nitish Kumar Son Of Chandra Mauli Kumar @ Mochhu Yadav Resident Of Village - Jathiyani (Bhojpur), P.S.- Atri, District - Gaya.
2. Sanjeev Kumar Raj @ Sanjeev Kumar Son Of Ram Janam Pd. @ Ram Janam Prasad Singh Resident Of Village - Jathiyani (Bhojpur), P.S.- Atri, District - Gaya.
3. Pintu Kumar Son Of Maheshwari Prasad Resident Of Village - Soiyapar, Maulanagar, P.S.- Atri, District - Gaya.

... .. Appellant/s

Versus

1. The State of Bihar
2. Soni Devi Wife of Raj Kumar Ravidas R/o vill- Babuganj, Salempur, P.S.- Muffasil, Dist- Gaya

... .. Respondent/s

**Appearance :**

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

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

4      08-08-2022      Learned counsel for the appellants seeks permission to withdraw this appeal with regard to appellant no. 2.

Permission is granted.

Accordingly, this appeal is dismissed as withdrawn with regard to appellant no. 2.

Heard learned counsel for the appellants and learned Special Public Prosecutor for the State for consideration of bail with regard to rest of the appellants. Though the notice has been validly served upon the respondent no. 2 but no one appears on her behalf.

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 30.09.2020, passed by learned Exclusive Special Judge, SC/ST Gaya in connection with Muffasil P.S. Case No. 01 of 2019, registered under Sections 147, 147, 149, 341, 323, 307, 379, 34 of the IPC, Section 27 of the Arms Act and Sections 3(i) (r) (s), 3 (2) (va) of SC/ST Act.

It is submitted by learned counsel for the appellants that the appellants are innocent and have not committed any offence. He submits that there is general and omnibus allegation levelled against the appellants. He submits that there is no specific overt act against the appellants. He submits that no case under SC/ST Act is made out against the appellant. He further submits that appellant has 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, let 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  
Exclusive Special Judge, SC/ST Gaya in connection with  
Muffasil P.S. Case No. 01 of 2019, 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 partly allowed.

**(Anjani Kumar Sharan, J)**

devendra/-

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