

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4478 of 2021

Arising Out of PS. Case No.-85 Year-2015 Thana- RIVILGANJ District- Saran

Mithilesh Singh @ Mithilish Singh @ Mithilesh Kumar Singh Son of Late-
Mukhdev Singh Resident of Village- Methwaliya, P.S.- Revilganj, District-
Saran.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Y.C. Verma, Sr. Adv. Mrs. Priyanka Singh, Adv.
For the Respondent/s	:	Mrs. Usha Kumari 1, Spl. P.P.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 20-01-2022 Heard learned senior counsel for the appellant and
learned Special Public Prosecutor for the State through virtual
court proceeding.

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 04.10.2021, passed by
learned 1st Additional Sessions Judge-cum-Special Judge, SC/ST
(POA) Act, Saran at Chapra in connection with Revilganj P.S.
Case No. 85 of 2015, registered under Sections 341, 323, 379
504/34 of the IPC and Sections 3(1) (x) of SC/ST Act.

When the informant was coming back from the house
of Nirmal Singh after taking cash of Rs. 40,000/-, rice, pulse,
sarees and a gold ear ring for marriage of his daughter, on way,



petitioner and one Dilip Singh caught him and accused Raja Babu Singh gave iron rod blow on his thigh, causing fracture injury and snatched all his belongings.

It is submitted by learned counsel for the appellant that the appellant is innocent and has not committed any offence. He submits that there is general and omnibus allegation levelled against the appellant. He submits that no case under SC/ST Act is made out against the appellant. He also submits that a compromise has been done between the parties as annexed at Annexure-2 of this application. He further submits that appellant has four criminal antecedent as stated in para-3 of this appeal and he is languishing in judicial custody since 15.09.2021.

There is no specific allegation against the appellant to abuse the informant or his family member by taking caste name, therefore, no notice is required to be issued to the informant.

However, learned Spl. PP for the State opposes the prayer for bail.

Considering the facts and circumstances of the case as also the fact that there is compromise between the parties, the above named appellant, 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 the learned
1st Additional Sessions Judge-cum-Special Judge, SC/ST (POA)
Act, Saran at Chapra in connection with Revilganj P.S. Case No.
85 of 2015.

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

(Anjani Kumar Sharan, J)

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