

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3326 of 2022**

Arising Out of PS. Case No.-287 Year-2021 Thana- KALYANPUR District- East Champaran

MUNNA KUMAR @ MUNNA DAS Son of Naresh Das Resident of Village
- Harpur, Hardas, P.S.- Kalyanpur, District - East Champaran.

... .. Appellant/s

Versus

1. The State of Bihar
2. Faiz Ahmad Faiz Son of Md. Manjural Haque Resident of Village -
Bahlolpur, P.S.- Dhaka, District - East Champaran.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Madhurendra Kumar, Adv.

For the Respondent/s : Mr. Sadanand Paswan. Spl, PP.

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

2 07-12-2022 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State.

Learned counsel for the appellant is directed to remove
the defects within four weeks.

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 19.05.2022, passed by
learned Special Judge (SC/ST Act), East Champaran, Motihari,
in connection with Kalyanpur P.S. Case No. 287 of 2021,



registered under Sections 147, 148, 149, 341, 323, 325, 353, 354, 504, 506, 509, 307, 427, 379, 188, 440, 332, 171 F of the I.P.C., Section 27 of Arms Act & 3 of the D.P Act & 131, 134(b), 135, 135(A) of R.P. Act and 3 (1) (r) (s) of SC / ST Act.

It is submitted by learned counsel for the appellant that the appellant is innocent and has been falsely implicated in this case. He submits that there is general and omnibus allegation alleged against 37 named and 200 unknown persons including the appellant. He submits that appellant also belongs to the family of Schedule Castes, hence no offence under sections 3 (1) (r) (s) of the SC/ST Act is made out. He submits that similarly situated co-accused has already been granted bail by this Court vide order dated 22.03.2022 passed in Cr. App (SJ) No. 218 of 2022. He further submits that appellant has no criminal antecedent as stated in para-3 of this appeal.

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

Considering the facts and circumstances of the case, let 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 Special Judge, SC/ST Act, East Champaran, Motihari in connection with Kalyanpur P.S. Case No. 287 of 2021, 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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