

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4606 of 2021

Arising Out of PS. Case No.-282 Year-2021 Thana- SULTANGANJ District- Patna

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1. MOHAMMAD SADDAM @ SADDAM Son of Feku Kuraishy Resident of Mohalla - Dargah Raod, P.S.- Sultanganj, District - Rohtas.
 2. Tinku Pope Son of Riyaz @ Mohammad Reyaz Resident of Mohalla - Dargah Raod, P.S.- Sultanganj, District - Rohtas.

... .. Appellant/s

Versus

1. The State of Bihar
2. Sahil Sawan @ Satish Chaudhary Son of Late Arjun Chaudhary Resident of Mohalla - Sanichara More, P.S.- Sultanganj, District - Patna

... .. Respondent/s

Appearance :

For the appellants/s	:	Mr. Raj Krishan Jha, Adv
For the Respondent/s	:	Mr. Sadanand Paswan, Spl.P.P. Mr. Rajendra Kumar Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

- 2 21-07-2022 Heard the counsel for the appellants, counsel for the respondent no.2 and Spl.P.P. for the State.

Learned counsel for the appellants undertakes to remove the defects within four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, office will place the matter before the Bench.

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 anticipatory bail vide order dated 30.10.2021, passed by learned A.D.J.- III-cum-



Special Judge, S.C./S.T. Act, Patna, in connection with Special (SC/ST) Case No. 297 of 2021 arising out of Sultanganj P.S. Case No. 282 of 2011 registered under sections 447, 147, 148, 149, 341, 323, 324, 307, 337, 379, 504, 506 of the Indian Penal Code and 3(i),(r),(s), 3 (2) (v) (a) of the S.C./S.T. Act.

Allegedly, the appellants abused the informant by taking caste name and ordered to kill him, upon which all the accused persons assaulted the informant.

Learned counsel for the appellants submits that appellants is innocent and has been falsely implicated in the present case. No such occurrence as alleged has ever taken place. It is submitted that there is general and omnibus allegation against the appellants. He further submits that there is a compromise between the parties. The appellants have no criminal antecedent, as also mentioned in para-3 of this memo of appeal.

Learned Spl.PP for the State and learned counsel for respondent no.2 opposed the prayer for bail.

Considering the facts and circumstances of the case, since there is a compromise between the parties, let the appellants named above, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on bail on furnishing bail bond of Rs.25,000/- (Rs.



Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned A.D.J -III -cum- Special Judge, S.C./S.T. Patna in connection with Special (SC/ST) Case no. 297 of 2021 arising out of Sultanganj P.S. Case No. 282 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 this appeal is allowed.

(Anjani Kumar Sharan, J)

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