

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4621 of 2021

Arising Out of PS. Case No.-106 Year-2020 Thana- NOKHA District- Rohtas

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1. Baijnath Noniya @ Baijnath Choudhari Son Of Bhikhari Noniya @ Bhikhar Chaudhari Resident Of Village- Gangahar, P.S- Nokha, Dist- Rohtas At Sasaram.
 2. Sikandar Noniya @ Sikandar Choudhari Son Of Ram Jee Noniya Resident Of Village- Gangahar, P.S- Nokha, Dist- Rohtas At Sasaram.

... .. Appellant/s

Versus

1. The State of Bihar.
2. Ravi Shankar Ram Son Of Late Sheo Pujan Ram Resident Of Village- Gangahar, P.S- Nokha, Dist- Rohtas.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Babu Nandan Prasad
For the Respondent/s : Mr.Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 10-03-2022 Heard learned counsel for the parties.

This is an appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter referred to as 'the SC/ST Act') against the refusal of prayer of bail vide order dated 01.11.2021, passed by learned 1st Additional Sessions Judge-cum-Special Judge, Rohtas at Sasaram in connection with Nokha P.S. Case No.106 of 2020, registered under Sections 147, 148, 149, 341, 323, 307, 504, 506 of the Indian Penal Code, Section 27 of the Arms Act as well as under Sections 3(1)(r)(s) of the SC/ST Act.

The allegation against the appellants and other co-



accused persons is that the appellants and other co-accused persons variously armed with different weapons came the *darwaza* of the informant and started assaulting the informant. When his family members came to save him, the appellants and other co-accused persons also assaulted them. The appellants and other co-accused persons also abused the informant by naming his caste.

Learned counsel for the appellants submits that the appellants are innocent and have falsely been implicated in the present case. It is submitted that there is general and omnibus allegation against the appellants. The matter has been compromised between the parties. The fact of compromise is also confirmed by the informant. It is further submitted that similarly situated other co-accused persons have already been enlarged on bail by different co-ordinate Benches of this Court. It is submitted that the appellants are in custody since 03.10.2021.

Learned Special P.P. for the State as well as learned counsel for the informant opposed the prayer for bail of the appellants.

Having considered the facts aforesaid, let appellants, above named, be released on bail on furnishing bail bonds of



Rs.25,000/- (rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge-cum-Special Judge, Rohtas at Ssaram in connection with Nokha P.S. Case No.106 of 2020.

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

(Anjani Kumar Sharan, J.)

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