

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4628 of 2021**

Arising Out of PS. Case No.-214 Year-2020 Thana- KARPI District- Jehanabad

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1. Tinku Kumar @ Tik Kumar S/O Surendra Yadav R/O Village- Murari, P.S.- Karpi, District- Arwal
 2. Narendra Yadav S/O Late Ram Chandra Yadav R/O Village- Murari, P.S.- Karpi, District- Arwal

... .. Appellant/s

Versus

1. The State Of Bihar
2. Alakh Paswan Son Of Late Baleshwar Paswan Resident Of Village- Nadi, P.S.- Karpi, District- Arwal

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Umesh Kumar
For the Respondent/s	:	Mr.Binay Krishna Mr. Rama Kant Singh

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

3 14-12-2022 Heard learned counsel for the appellants, respondent no. 2 and learned Special Public Prosecutor for the State.

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 14.09.2021, passed by learned Additional District and Sessions Judge-1, Jehanabad in connection with Karpi P.S. Case No. 214 of 2020, registered under Sections 341, 323, 504, 379/34 of the IPC and Sections 3(i) (r) (S) of SC/ST Act.

It is submitted by learned counsel for the appellants that the appellants are innocent and have been falsely implicated in



this case. He submits that there is case and counter case in between the parties. He submits that there is no specific overt act against the appellants to abuse the informant by taking caste name. He further submits that appellants have no criminal antecedent as stated in para-3 of this appeal.

However, learned Spl. P.P. for the State and informant oppose the prayer for bail.

Considering the facts and circumstances of the case and the fact that there is no specific overt act against the appellants, 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 Additional District and Sessions Judge-1, Jehanabad in connection with Karpi P.S. Case No. 214 of 2020, 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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