

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4920 of 2021

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

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BANTI KUMAR S/o Premeshwar Shah @ Premeshwar Saw R/o Banwari
Chowk, P.S.- Sultanganj, District- Patna.

... .. Appellant/s

Versus

1. The State of Bihar
2. Sahil Sawan @ Satish Chaudhary Son of Late Arjun Choudhary R/O-
Shanichara More Kumharar, P. S.- Sultanganj, Dist- Patna

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Deovind Kumar Singh
For the Respondent/s : Mr.Sadanand Paswan

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

4 30-08-2022 Heard learned counsel for the appellant as well as the

learned counsel for the informant.

Learned counsel for the appellant is directed to
remove all the defects pointed out by the Stamp Reporter within
one month.

This appeal has been preferred on behalf of the
appellant under Section 14-A (2) of the SC & ST (Prevention of
Atrocities) Act for setting aside the order dated 26.11.2021 in
connection with Sultanganj P.S.Case No. 282 of 2021 (Spl.Case
No. 297 of 2021), registered for the offences punishable under
Sections 447, 147, 148, 149, 341, 323, 324, 307, 337, 379, 504
and 506/34 of the Indian Penal Code and Section 3(i)(r)(s)/3(2)



(v)(a) of the SC and ST (Prevention of Atrocities) Act, whereby the prayer for anticipatory bail of the appellant has been rejected.

At the outset, learned counsel for the appellant has submitted that the informant has compromised the case with the accused persons on whom there is specific allegation of assault. So far as the appellant is concerned, there is no specific allegation of assault to the informant.

On the other hand, learned counsel for the informant has opposed the prayer for anticipatory bail.

Considering the facts and circumstances and also considering the fact that the appellant is not the assailant and he is a person of clean antecedent, the appeal is allowed and the impugned order dated 26.11.2021 is set aside. Accordingly, in the event of arrest or surrender within four weeks from today, the appellant, above-named shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions-III-cum-Special Judge, SC/ST, Patna in connection with Sultanganj P.S. Case No. 282 of 2021 (Spl. Case No. 297 of 2021). **If it is found that the appellant is also implicated in any other case, except the**



**present one, the learned court below shall be at liberty to
cancel his bail bond.**

Office shall ensure that all the defects are removed by
the appellant within the stipulated time provided hereinabove,
failing which the matter shall be brought to the notice of this
Court.

(Nawneet Kumar Pandey, J)

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