

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4931 of 2021**

Arising Out of PS. Case No.-679 Year-2018 Thana- SHASTRINAGAR District- Patna

SATYENDRA KUMAR @ SATYENDRA SON OF LATE SUKHDEV
PRASAD R/o village- Tehta, P.S.- Makhdumpur, District- Jehanabad

... .. Appellant

Versus

1. THE STATE OF BIHAR
2. Santosh Kumar S/o Shatrudhan Das R/o village- Sarari, P.O.- Khagaul, P.S.-
Shahpur, District- Patna

... .. Respondent

Appearance :

For the Appellant/s	:	Mr.Sunil Prasad,Adv.
For the State	:	Mr.Usha Kumari ,Spl.P.P.
For the Respondent	:	M.Munish Kumar,Adv

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

ORAL ORDER

3 18-07-2022 Learned counsel for the appellant is directed to remove all
the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the appellant as well as learned
counsel for the informant.

This appeal has been preferred on behalf of the appellant
under Section 14-A(2) of the Scheduled Castes and Scheduled Tribes
(Prevention of Atrocities) Act for setting aside the order dated
26.11.2021 passed by the learned Additional Sessions Judge-III-cum-
Special Judge, SC/ST, Patna in A.B.P. No. 7797 of 2021 arising out
of Shastrinagar P.S. Case No. 679 of 2018, registered for the offences
punishable under Sections 448, 323, 504 and 506 of the Indian Penal
Code & Section 3(i)(r) of SC and ST (Prevention of Atrocities) Act,
whereby the prayer for anticipatory bail of the appellants has been



rejected.

Both the learned counsels have submitted that the informant is younger *sarhu* (brother-in-law) of the appellant. The learned counsels have also submitted that the case has been compromised.

In these circumstances, the provisions of SC/ST Act is not attracted prima facie. As such, the appeal is allowed and the impugned order dated 26.11.2021 passed by the learned Additional Sessions Judge-III-cum-Special Judge, SC/ST Patna is set aside.

Accordingly, in the event of arrest or surrender within four weeks from today, the appellants above-named, shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-III-cum-Special Judge, SC/ST Patna in connection with Shastrinagar P.S. Case No. 679 of 2018.

Office shall ensure that all defects are removed by the appellant within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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