

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5764 of 2019

Arising Out of PS. Case No.-204 Year-2019 Thana- JANDAHA District- Vaishali

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1. TRILOKI SINGH Son of Kapileshwar Singh Resident of Village - Chakfateh, P.S. - Jandaha, District - Vaishali
 2. Shivam Kumar Son of Raj Kapoor Singh @ Kapoor Singh Under the guardianship of his mother Manju Devi Resident of Village - Chakfateh, P.S. - Jandaha, District - Vaishali

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Sanjay Kumar Jha
For the Respondent/s	:	Mr. Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 03-01-2022 Learned counsel for the appellants submits that appellant no. 1 has been arrested by the police, therefore, he seeks permission to withdraw this appeal with regard to appellant no. 1.

Permission is granted.

Accordingly, this appeal is dismissed as withdrawn with regard to appellant no. 1.

Heard learned counsel for the appellant 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 anticipatory bail vide order dated



13.11.2019, passed by learned Additional District and Sessions Judge-1-cum-Special Judge (SC/ST Act) Vaishali at Hajipur, in connection with Jandaha P.S. Case No. 204 of 2019, registered under sections 341, 323, 324, 504, 506, 354, 379/34 of the IPC and Sections 3(i) (r) (S), 3 (2)(Va) of SC/ST Act.

It is submitted by learned counsel for the appellant that the appellant is innocent and has not committed any offence. He submits that there is no specific allegation against appellant no. 2. He submits that appellant is aged about 17 years and he has no criminal antecedent. He submits that no case under SC/ST Act is made out against the appellant.

There is no specific allegation against the appellant to abuse the informant or his family member by taking caste name, therefore, notice is not required to the informant.

Learned Spl. PP for the State opposed the prayer for bail.

Considering the facts and circumstances of the case, the above named appellant in the event of his 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) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-1-cum-Special Judge



(SC/ST Act) Vaishali at Hajipur, in connection with Jandaha P.S.
Case No. 204 of 2019, 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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