

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.484 of 2023

Arising Out of PS. Case No.-98 Year-2022 Thana- SINGHESHWAR District- Madhepura

SANJEEV KUMAR S/O RAMCHANDRA YADAV Resident of Village-
Dandari, Ward no.03, P.S.- Singheshwar, District- Madhepura.

... .. Appellant/s

Versus

1. The State of Bihar
2. ANIL SARDAR S/O SUGDEO SARDAR Resident of Village- Bhokraha,
Ward No.- 07, P.S.- Kumarkhand District- Madhepura.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Surya Narayan Yadav, Adv.
For the Respondent/s : Mr.Sadanand Paswan, Spl.P.P.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 21-06-2023 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State.

Though, in view of the order of this Court dated
08.02.2023, learned Spl.P.P. for the State informed the informant
for his appearance in this case but nobody has entered
appearance on his behalf.

This is an appeal under section 14A(2) of the Scheduled
Castes and Scheduled Tribes (Prevention of Atrocities) Act,
1989 (hereinafter in short referred to as the 'SC/ST Act') against
the refusal of prayer for anticipatory bail vide order dated
18.11.2022, passed by learned Additional Sessions Judge-1st,
cum Special Judge, Madhepura, in connection with



Singheshwar P.S. Case No.98 of 2022, registered for the offence punishable under sections 341, 324, 325, 307, 379, 427, 504, 506/34 of the IPC, 27 of the Arms Act and sections 3(1)(r) (s)/3(2)(va) of the SC/ST Act.

Allegedly, the F.I.R. named accused persons including the appellant abused and attacked the informant and on order of Gulsan Kumar Yadav, the appellant assaulted one Mistu Kumar by rod.

It is submitted by learned counsel for the appellant that the appellant is innocent and has not committed any offence. No such occurrence as alleged ever taken place. Appellant has been falsely implicated in the case with frivolous allegation. It is submitted that no offence under the SC/ST Act is made out against the appellant as there is no specific allegation against him to abuse by caste name to the informant or his associate. Furthermore, no injury report of Mistu Kumar was enclosed in the case diary. Appellant has no criminal antecedent.

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

Considering the facts and circumstances of the case, the appellant named above, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, is directed to be released on bail on furnishing bail



bond of Rs.25,000/- (Rs. Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-1st, cum Special Judge, Madhepura, in connection with Singheshwar P.S. Case No.98 of 2022, subject to the condition as laid down under section 438 (2) of the Cr.P.C.

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

(Anjani Kumar Sharan, J)

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