

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.723 of 2023

Arising Out of PS. Case No.-89 Year-2021 Thana- RAGHOPUR District- Supaul

1. Md. Razzak Son Of Late Lal Mohammad R/V- Satkodariya, P.S.- Raghapur, District- Supaul
2. Md. Aaseen @ Md. Yaseen Son Of Late Lal Mohammad R/V- Satkodariya, P.S.- Raghapur, District- Supaul
3. Md. Waseel Son Of Late Lal Mohammad R/V- Satkodariya, P.S.- Raghapur, District- Supaul
4. Md. Salauddin Son Of Md. Yaseen R/V- Satkodariya, P.S.- Raghapur, District- Supaul

... .. Appellant/s

Versus

THE STATE OF BIHAR

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Kumar Goutam
For the Respondent/s : Mr.Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 30-08-2023 Heard learned counsel for the appellants and learned
Special Public Prosecutor for the State.

2. From perusal of the office notes, it appears that the notice issued upon the respondent no. 2 has been validly served but nobody has appeared on his behalf.

3. 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 29.09.2022, passed by learned Additional District and Sessions Judge 1st Supaul in connection with Raghapur P.S. Case No. 89



of 2021, registered under Sections 341, 323, 324, 325, 354(B), 504, 506, 384 and 34 of the IPC and Sections 3(i) (r)(s) w (1) of SC/ST Act.

4. Appellants are said to have abused the informant by taking caste name and also assaulted him.

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

6. Considering the facts and circumstances of the case and the fact that there is compromise between the parties, 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 1st Supaul in connection with Raghapur P.S. Case No. 89 of 2021, subject to



the condition as laid down under Section 438 (2) of the Cr.P.C.

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

(Anjani Kumar Sharan, J)

devendra/-

U		T	
---	--	---	--

