

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1648 of 2021

Arising Out of PS. Case No.-295 Year-2020 Thana- SASARAM NAGAR District- Rohtas

1. Aditya Raj @ Mithu Chandravanshi And Others Son Of Krishna Kumar R/O Mohalla- Nuranganj, P.S- Sasaram, Dist- Sasaram (ROHTAS)
2. Arjun Kumar @ Arjun Sonkar Son Of Bahiyalal Sonkar R/O Mohalla- Nuranganj, P.S- Sasaram, Dist- Sasaram (ROHTAS)
3. Dharendra Kumar @ Dharmendra Kumar @ Santu Kumar Son Of Ramvilash Singh R/O Mohalla- Nuranganj, P.S- Sasaram, Dist- Sasaram (ROHTAS)

... .. Appellant/s

Versus

1. The State of Bihar
2. Rekha Devi Pappu Nut Residence of Mohalla- Nuranganj, Ward No. - 35, P.S.- Sasaram Nagar, District- Rohtas

... .. Respondent/s

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 15-02-2023 Heard learned counsel for the appellants and learned
Special Public Prosecutor for the State.

Learned counsel for the appellants is directed to
remove the defects, if any, within four weeks.

Learned Special Public Prosecutor for the State
informs this Court that he has informed the respondent no.2 but
nobody appeared on behalf his behalf.

This is an appeal under Section 14(a)(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 of anticipatory bail vide order dated 23.11.2020 passed by learned 1st Addl. Sessions Judge cum Special Judge, SC/ST, Sasaram (Rohtas) in connection with Sasaram Nagar P.S. Case No. 295/2020, registered under Sections 147, 148, 149, 341, 323, 308, 354, 379, 504 and 506 of the Indian Penal Code and Section 3(i)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

It is submitted by learned counsel for the appellants that the appellants have no concern with the aforesaid occurrence. There is general and omnibus allegations levelled against the appellants. All the incident took place inside the house not in public view. Hence, no offence under SC/ST Act is made out against the appellants. It is further submitted that there is compromise between the parties and he enclosed the compromise petitioner (annexure-3 of the memo of the appeal). Appellants have got no criminal antecedent as mentioned in para-3 of memo of appeal.

Learned Spl. PP for the State opposes the prayer for bail and submits that the appellants abuse the respondent no.2 by taking caste name.

In the facts and circumstances of the case, 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 bonds of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned 1st Addl. Sessions Judge cum Special Judge, SC/ST, Sasaram (Rohtas) in connection with Sasaram Nagar P.S. Case No. 295/2020, 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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