

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1390 of 2022**

Arising Out of PS. Case No.-35 Year-2021 Thana- MAHILA THANA District- Begusarai

NISHANT KUMAR @ KUNDAN SON OF CHHOTEY LAL RAI @
CHHOTE LAL ROY R/O VILLAGE- AMRPUR, P.S.- BARAUNI
(CHAKIYA O.P.), DISTRICT- BEGUSARAI

... .. Appellant/s

Versus

THE STATE OF BIHAR

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Shubhesh Pandey, Adv.
For the Respondent/s	:	Mrs.Usha Kumari No.1, Spl.P.P.
For the Informant	:	Mr.Ajay Kumar Tiwary, Adv.

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

3 12-04-2023 Heard learned counsel for the appellant, learned counsel
for the informant and learned Spl.P.P. for the State.

This is an appeal under section 14(A) 2 of 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
14.03.2022, passed by learned Exclusive Special Judge-SC/ST
(POA), Begusarai, in connection with Begusarai Mahila P.S.
Case No.35 of 2021, registered u/s 376/511 of the IPC, 66(E),
67(A) of I.T. Act and 3(i)(r)(s)/3(2)(va) of the SC/ST Act.

Allegation against the appellant is that he tried to
establish physical relation with the informant but on denial, he
uploaded the personal photographs of the informant on
Facebook and he used to use abusive language (caste name) on



seeing the informant or her family member.

It is submitted by learned counsel for the appellant that the appellant is innocent and has not committed any offence. Appellant has been falsely implicated in the case with frivolous allegation. It is submitted that the parties have compromised the matter. Appellant has no criminal antecedent.

Learned counsel for the informant has also accepted that the parties have compromised.

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) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge-SC/ST (POA), Begusarai, in connection with Begusarai Mahila P.S. Case No.35 of 2021, 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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