

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL APPEAL (SJ) No.1807 of 2023**

Arising Out of PS. Case No.-430 Year-2022 Thana- PAHARPUR District- East Champaran

MANOJ RAUT Son of Late Shivnath Raut Resident of Village - Sareya Khas,  
P.S.- Paharpur, District - East Champaran.

... .. Appellant/s

Versus

1. The State of Bihar
2. Lalsa Devi Wife of Ramchandra Ram R/o Satya Bazar, Sarya Mishrain Jola,  
P.S.- Paharpur, Dist.- East Champaran.

... .. Respondent/s

**Appearance :**

For the Appellant/s : Mr.Anant Kumar Mishra, Advocate  
For the Respondent/s : Mrs.Usha Kumari 1, Spl. P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      21-04-2023                      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)(ii) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 2016 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for regular bail vide order dated 02.02.2023 passed by the learned Special Judge, SC/ST (POA) Act, Motihari, East Champaran in Paharpur P.S. Case No.430 of 2022, F.I.R. dated 26.11.2022 registered under Sections 341, 323,324, 379,504,506,34 of the Indian Penal Code and Section 3(1)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.



Allegation against the appellant is that he assaulted to the informant with Farsa causing injury on her head.

Learned counsel for the appellant submits that the appellant has clean antecedent and he has falsely been implicated in the present case. Further submits that the allegation as alleged in the FIR is false and fabricated. No such occurrence had taken place and the injury report of the informant is simple in nature and the police, after investigation, submitted chargesheet against the appellant and the appellant is in custody since 10.12.2022.

Learned counsel for the informant and learned Spl. P.P. for the State have vehemently opposed the prayer for bail of the appellant.

Considering the aforesaid facts, let the appellant, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, SC/ST (POA) Act, Motihari, East Champaran in connection with Paharpur P.S. Case No.430 of 2022, with the following conditions:-

(1) Appellant shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court



and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the appellant tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the appellant and in case at any stage, it is found that the appellant has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the appellant. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

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

**(Rajesh Kumar Verma, J)**

Nitesh/-

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