

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1596 of 2022

Arising Out of PS. Case No.-105 Year-2022 Thana- SHAHPUR District- Patna

=====

JITENDRA KUMAR @ JITENDRA YADAV SON OF BACHCHU
PRASAD YADAV @ BACHCHU YADAV R/O- VILL- USARI, P.S.-
SHAHPUR, DISTRICT- PATNA

... .. Appellant/s

Versus

1. The State of Bihar
2. MEERA DEVI WIFE OF VINOD DAS R/O- VILLAGE- USARI, P.S.-
SHAHPUR, DISTRICT- PATNA

... .. Respondent/s

=====

Appearance :

For the Appellant/s	:	Mr.Kahkashan Alam, Adv. Mr. Kamlesh Kumar, Adv.
For the Respondent/s	:	Mr.Sadanand Paswan, Spl.PP. Mr. Md. Murad Ashraf, Adv.

=====

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 11-01-2023 Heard the parties.

Learned counsel for the appellant undertakes to remove
the defects within four weeks.

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 of anticipatory bail vide order dated
22.04.2022 passed by learned Additional District and Sessions
Judge III-cum-Special Judge (SC/ST Act), Patna in connection
with Shahpur P.S. Case No. 105/2022 registered under Sections
341, 323, 354 (B), 506, 504, 34 of the Indian Penal Code and



Section 3(1) (r) (s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Allegedly, appellant and other co-accused persons abused the informant by taking her caste name and assaulted her.

It is submitted by learned counsel for the appellant that appellant is quite innocent and has committed no offence. He has no concern with the aforesaid occurrence. He has been falsely implicated in this case. The whole prosecution story is totally false, fabricated and concocted. There is general and omnibus allegation against the appellant. Appellant has three criminal antecedents as mentioned in para-3 of memo of appeal.

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

In the facts and circumstances of the case, since, from the perusal of FIR, it is not clear that appellant abused the appellant in public place or inside the house, the above named appellant, in the event of his 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) with two sureties of the like amount each to the satisfaction of the learned Addl. District and Sessions Judge III cum Special Judge (SC/ST Act), Patna in connection with Shahpur P.S Case No. 105/2022, 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)

divyanshi/-

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

