

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3101 of 2023

Arising Out of PS. Case No.-23 Year-2023 Thana- KOTWA District- East Champaran

RAVI MAHTO @ RAVI KUMAR @ RAVI KUMAR MAHTO Son of
Sudama Mahto Resident of village - Karaiya, P.S. - Kotwa, Distt. - East
Champaran

... .. Appellant/s

Versus

1. The State of Bihar
2. Rina Devi Wife of Pappu Ram Resident of village - Karariya, P.S. - Kotwa,
Distt. - East Champaran

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Pramod Kumar Pandey
For the Respondent/s : Mr. Binay Krishna

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 04-10-2023 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State.

2. Learned Spl. PP for the State, in compliance of
order dated 16.08.2023, informed the informant/complainant.
Nobody appeared on behalf of the informant/complainant.

3. 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 06.05.2023 passed by learned Special Judge
SC/ST Act, East Champaran at Motihari, in connection with
Kotwa P.S. Case No. 23 of 2023 registered under Sections 341,



323, 324, 325, 354, 312, 379, 504, 506, 34 Indian Penal Code and Sections 3(i)(r)(s), 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

4. As per the prosecution case, the appellant along with other accused persons is said to have assaulted the informant's side.

5. Learned counsel for the appellant submits that the appellant has not concern with the aforesaid occurrence. There is no allegation of slating the informant in the specific name of his caste. Hence, no offence under Section SC/ST Act is made out against the appellant. He submits that there is case and counter case between the parties and both sides have sustained injuries and the injuries were found simple in nature. Appellant has got no antecedent as mentioned in para-3 of memo of the appeal.

6. Learned Spl. PP for the State opposes payer for anticipatory bail.

7. Considering the facts and circumstances of the case and the nature of the injury, let 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 learned Special Judge SC/ST Act, East Champaran at Motihari, in connection with Kotwa P.S. Case No. 23 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

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

(Anjani Kumar Sharan, J)

anand/-

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