

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3180 of 2023

Arising Out of PS. Case No.-121 Year-2023 Thana- IMAMGANJ District- Gaya

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1. RAJESH KUMAR son of Radheshyam Prasad Village- Raniganj Ps-
Imamganj Dist- Gaya
 2. Radheshyam Prasad son of Parmeshwar Prasad Village- Raniganj Ps-
Imamganj Dist- Gaya

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Binod Kumar Pandey

For the Respondent/s : Mr. Binay Krishna

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 20-09-2023 Heard learned counsel for the appellants and learned
Special Public Prosecutor for the State.

2. Learned Special Public Prosecutor for the State
informs this Court that he has complied the order dated
16.08.2023 but nobody appeared on behalf of the respondent
no.2.

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 20.06.2023 passed by learned Exclusive
Special Judge SC/ST, Gaya in connection with Imamganj P.S.
Case No.121 of 2023, registered under Sections 341, 323, 379,



504 and 506/34 of the Indian Penal Code and Section 3 (1)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

4. It is submitted by learned counsel for the appellants that the appellants have no concern with the aforesaid occurrence. There is case and counter case between the parties. The matter had been compromised between the parties. The present case has been lodged by Rahul Kumar on instigation of Surendra Kumar who is owner of Surendra Nursing Home and there is inimical terms with the appellants. Appellants have got no criminal antecedent as mentioned in para-3 of memo of appeal.

5. Learned Spl. PP for the State opposes the prayer for bail.

6. In the facts and circumstances of the case and the fact that there is compromise between the parties, 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 Exclusive Special Judge SC/ST, Gaya in connection with Imamganj P.S.



Case No.121 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

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

(Anjani Kumar Sharan, J)

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