

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2794 of 2022

Arising Out of PS. Case No.-143 Year-2021 Thana- DINARA District- Rohtas

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YUGAL KISHORE TIWARI @ YUGAL KISHORE TRIPATHI S/o Late Shri
Ramkeshwar Tripathi R/o village- Pawra, P.S.- Surjpura, District- Rohtas-
802218

... .. Appellant/s

Versus

1. The State of Bihar
2. Jitendra Kumar Ram S/o Kameshwar Ram R/o village- Karanj, P.S.- Dinara,
District- Rohtas

... .. Respondent/s

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Appearance :

For the Appellant/s	:	Mrs. Prachi Pallavi
For the Respondent/s	:	Mr. Sadanand Paswan
		Mr. Chandra Mohan Jha

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 08-02-2023 Heard learned counsel for the appellant, learned counsel
for the respondent no.2 and learned Special Public Prosecutor
for the State.

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
21.07.2022, passed by learned Additional District and Sessions
Judge 17-cum-Special Judge (SC/ST Act), Rohtas at Sasaram in
Dinara P.S. Case no.143 of 2021, registered under Sections 302,
147, 148, 149, 341, 323, 504, 506 of the Indian Penal Code and
Section 3(2) (v) of the Scheduled Castes and Scheduled Tribes



(Prevention of Atrocities) Act.

It is submitted by learned counsel for the appellant that no such occurrence as alleged ever took place. It is submitted by learned counsel for the appellant that the appellant has no concern with the aforesaid occurrence. He has been falsely implicated in the case due to dirty village politics. The allegation of assault levelled against the appellants is not specific rather general and omnibus in nature. There is no specific overt act against the appellant. He further submits that there is a compromise between the parties and this fact is also not denied by the learned counsel for the respondent no.2. Appellant has no criminal antecedent as mentioned in para-3 of this memo of appeal.

Considering the facts and circumstances of the case, 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 released 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 Additional District and Sessions Judge 17-cum-Special Judge (SC/ST Act), Rohtas at Sasaram in Dinara P.S. Case no.143 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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