

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL APPEAL (SJ) No.3327 of 2023**

Arising Out of PS. Case No.-1365 Year-2022 Thana- BIHTA District- Patna

SANNI KUMAR S/O SUNIL SAAB R/O VILLAGE- DIHRI, P.O.-  
TARANAGAR, PS.- BIHTA, DIST. PATNA

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

**Appearance :**

|                      |   |                                                 |
|----------------------|---|-------------------------------------------------|
| For the Appellant/s  | : | Mr.Md. Najmul Hodda, Adv.                       |
| For the Respondent/s | : | Mr.Sadanand Paswan, Spl.PP.<br>Ms. Shweta, Adv. |

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

3      01-11-2023      Heard learned counsels for the parties.

2. 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 17.06.2023 passed by learned Special Judge, (SC/ST), Patna in connection with Bihta P.S. Case No. 1365 of 2022 registered under Sections 341, 323, 354, 379, 504, 506, 34 of the Indian Penal Code and Section 3(4)(2)(s)(w)(i)/3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

4. Allegedly, all the FIR named accused persons including the appellant entered the house of the informant and assaulted



and abused her by taking her caste name. They also tried to outrage the modesty of the informant.

5. 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 the case due to ulterior motive. The allegation of assault and abuse levelled against the appellant is not specific rather general and omnibus in nature. There is compromise between the parties. This fact is also not denied by learned counsel for the informant. Appellant has no criminal antecedent as mentioned in para-3 of memo of appeal.

6. Learned Spl. PP for the State as well as learned counsel for the informant opposed the prayer for bail.

7. In the facts and circumstances of the case, as there is compromise between the parties, 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 Special Judge, (SC/ST), Patna in connection with Bihta P.S. Case No. 1365 of 2022 , 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)**

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