

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL APPEAL (SJ) No.4123 of 2021**

Arising Out of PS. Case No.-112 Year-2021 Thana- WAJIRGANJ District- Gaya

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Saryug Yadav @ Satyendra Narayan @ Satyendra Paswan Son of - Late Tetar Prasad Resident of Village - Chhotki Rajwara, P.S. - Atri, District - Gaya, At present residing at Bhadani Gali, Wazirganj, P.S. - Wazirganj, District - Gaya.  
... .. Appellant/s

Versus

1. The State of Bihar.
2. Surma Devi wife of Kameshwar Manjhi resident of village- Nima, P.S.- Atri, District- Gaya.  
... .. Respondent/s

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**Appearance :**

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|-------------------|---|----------------------------------------|
| For the Appellant | : | Mr. Sanjeev Kumar, Advocate            |
| For the State     | : | Mr. Sadanand Paswan, Special P.P.      |
| For the Informant | : | Mr. Ritesh Kr. Narayan Singh, Advocate |

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

5      19-04-2023                      Heard learned counsel for the parties.

This is an appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter referred to as ‘the SC/ST Act’) against the refusal of prayer of anticipatory bail vide order dated 24.08.2021, passed by learned Special Judge POCSO Court-cum-Additional District and Sessions Judge-VI, Gaya in connection with Wazirganj P.S. Case No.112 of 2021, registered under Sections 354(B) of the Indian Penal Code, Sections 3(i)(r)(s) of the SC/ST Act as well as Section 8 of the POCSO Act.

The appellant is said to have tried to outrage the modesty of the informant’s daughter.

Learned counsel for the appellant submits that the appellant is innocent and has falsely been implicated in the present



case. The appellant has got no criminal antecedent as stated in paragraph-3 of the memo of appeal. It is further submitted that the appellant has not abused the informant by naming her caste. It is also submitted that the matter has been compromised between the parties and a copy of compromise petition is also annexed with this memo of appeal as Annexure-2.

Learned counsel for the informant does not deny the factum of compromise between the parties.

Taking into consideration the facts aforesaid, let appellant, above named, 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 learned Special Judge POCSO Court-cum-Additional District & Sessions Judge-VI, Gaya in connection with Wazirganj P.S. Case No.112 of 2021, subject to the conditions 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)**

S.KUMAR/-

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