

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3148 of 2022

Arising Out of PS. Case No.-178 Year-2022 Thana- DHANARUA District- Patna

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1. PAPPU SAW SON OF LATE RAM JATAN SAW RESIDENT OF KUSHWAN, P.S.- DHANARUA, DISTRICT- PATNA
 2. BABLU SAW SON OF PAPPU SAW RESIDENT OF KUSHWAN, P.S.- DHANARUA, DISTRICT- PATNA
 3. NIPU SAW SON OF PAPPU SAW RESIDENT OF KUSHWAN, P.S.- DHANARUA, DISTRICT- PATNA
 4. MANTU SAW SON OF LATE RAM JATAN SAW RESIDENT OF KUSHWAN, P.S.- DHANARUA, DISTRICT- PATNA
 5. VIJAY SAW SON OF MANTU SAW RESIDENT OF KUSHWAN, P.S.- DHANARUA, DISTRICT- PATNA
 6. MUKESH SAW @ BHOSH SAW SON OF YOGENDRA SAW RESIDENT OF KUSHWAN, P.S.- DHANARUA, DISTRICT- PATNA
 7. RANJIT SAW SON OF RAM SARAN SAW RESIDENT OF KUSHWAN, P.S.- DHANARUA, DISTRICT- PATNA
 8. RAM SARAN SAW SON OF RAM SWROOP SAW RESIDENT OF KUSHWAN, P.S.- DHANARUA, DISTRICT- PATNA

... .. Appellant/s

Versus

1. The State of Bihar
2. GEETA KUMARI WIFE OF MANOJ PASWAN R/O VILLAGE- KUSHWAN, P.O.- BEER, P.S.- DHANARUA, DISTRICT- PATNA

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Gajanan Mishra
For the Respondent/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 11-01-2023 Heard learned counsel for the appellants and learned
Special Public Prosecutor for the State.

Learned Special Public Prosecutor for the State
informs this Court that he has informed the informant but
nobody appeared on his behalf.



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 02.08.2022 passed by learned Special Judge, SC/ST Act court, Patna in connection with Dhanarua P.S. Case No. 178/2022 registered under Sections 341, 323, 307, 427, 379, 504 and 34 of the Indian Penal Code and Section 3(i)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Learned counsel for the appellants submits that the appellants have no concern with the aforesaid occurrence. He further submits that there is general and omnibus allegation levelled against the appellants. He submits that there is comprise between the parties. He further submits that 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 appellants. He submits that there is no specific overt act levelled against the appellants. He further submits that appellants have got no criminal antecedent as mentioned in para-3 of memo of appeal.

Learned Spl. PP for the State opposes the prayer for



bail and submits that the appellants abused the informant by taking caste name.

In the facts and circumstances of the case and the fact that there is compromise levelled 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 Special Judge, SC/ST Act court, Patna in connection with Dhanarua P.S. Case No. 178/2022, 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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