

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3144 of 2022

Arising Out of PS. Case No.-54 Year-2022 Thana- GADHPURA District- Begusarai

Shivam Chaudhary @ Shivam Kr. @ Aditya Raj Son of Bipin Chaudhary R/o
Village- Koriyama, P.S.- Garhpura, District- Begusarai.

... .. Appellant/s

Versus

1. The State of Bihar.
2. Renu Devi Wife of Dilip Paswan R/o Village- Koriyama, P.S.- Garhpura,
District- Begusarai.

... .. Respondent/s

Appearance :

For the Appellant : Mr. Sabal Kumar Jha, Advocate
For the State : Mr. Sadanand Paswan, Special P.P.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 26-04-2023 Learned Special P.P. for the State submits that he had informed the informant of this appeal to plead in the present appeal through her counsel or through her, but nobody appears on her behalf.

Heard learned counsel for the appellant 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 referred to as 'the SC/ST Act')
against the refusal of prayer of anticipatory bail vide order dated
18.08.2022, passed by learned court of Special Judge, SC/ST
POA, Begusarai in connection with Garhpura P.S. Case No.54



of 2022, registered under Sections 147, 341, 323, 307, 379, 354, 504, 506 of the Indian Penal Code and Sections 3(i)(r)(s) (w)/3(2-va) of the SC/ST Act.

Accusation against the appellant is of snatching the earring from the informant.

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 specific allegation of abuse and assault is against Yogi Choudhary and Vijay Choudhary. It is submitted that there is general and omnibus allegation against the appellant.

Learned Special P.P. for the State opposed the prayer for grant of anticipatory bail to the appellant.

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, SC/ST POA, Begusarai in connection with Garhpura P.S. Case No.54 of 2022, subject to the conditions laid down under



Section 438(2) of the Cr.P.C.

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

(Anjani Kumar Sharan, J)

S.KUMAR/-

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