

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3338 of 2022**

Arising Out of PS. Case No.-110 Year-2020 Thana- LAUKAHA District- Madhubani

1. Sakaldeo Yadav @ Lotan Yadav S/O Ram Das Yadav Resident of Village- Dhanushi, P.S.- Laukaha (Lalmania), District- Madhubani.
2. Bhuletan Yadav S/O Ram Das Yadav Resident of Village- Dhanushi, P.S.- Laukaha (Lalmania), District- Madhubani.

... .. Appellant/s

Versus

1. The State of Bihar.
2. NILAM DEVI W/O RAM BALAK RAM Resident of Village- Dhanushi, P.S.- Lalmania, District- Madhubani.

... .. Respondent/s

Appearance :

For the Appellants	:	Mr. Gagan Deo Yadav, Advocate Mr. Ravi Prakash, Advocate Mr. Rajesh Kumar, Advocate
For the State	:	Mr. Sadanand Paswan, Special P.P.

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

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

Despite information given by learned Special P.P. for the State regarding hearing of the case, none appears on behalf of the informant today.

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 03.08.2022, passed by learned 1st Additional Sessions Judge-



cum-Special Judge, Madhubani in connection with Laukaha (Lalmania) P.S. Case No.110 of 2020, registered under Sections 341, 323, 354, 379 and 34 of the Indian Penal Code as well as Sections 3 (i) (r)/(ii) (va) of the SC/ST Act.

Learned counsel for the appellants submits that the appellants are innocent and have falsely been implicated in the present case. It is submitted that the appellants have got no criminal antecedent as stated in paragraph-3 of the memo of appeal. It is further submitted that the appellants are said to have abused the informant by naming her caste, but the occurrence took place inside the house of the appellants, therefore, no case is made out under the provisions of SC/ST Act.

Learned Special P.P. for the State opposed the prayer for anticipatory bail of the appellants.

Having considered the facts aforesaid, let appellants, above named, in the event of their arrest or surrender before the learned court below within a period of six weeks from today, be released 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 1st Additional Sessions Judge-cum-Special Judge, Madhubani in connection with Laukaha (Lalmania) P.S. Case No.110 of 2020, subject to the conditions



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)

S.KUMAR/-

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