

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4580 of 2021**

Arising Out of PS. Case No.-148 Year-2021 Thana- RANIYATALAB District- Patna

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SINTU KUMAR @ SINTU YADAV Son of Umesh Kumar @ Umesh Yadav
Resident of Village Lahladpur, P.S. Ranitalab, District – Patna.

... .. Appellant/s

Versus

1. THE STATE OF BIHAR.
2. Sarswati Devi Wife of Late Sunil Manjhi Resident of village -Barada,P.S-
Rani Talab,District-Patna.

... .. Respondent/s

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Appearance :

For the Appellant	:	Mr. Satyapal Singh, Advocate
For the State	:	Mr. Binay Krishna, Special P.P.
For Respondent No.2	:	Mr. Shashank Shekhar, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

7 26-04-2023 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 24.09.2021, passed by learned A.D.J.-III-cum-Special Judge, SC/ST, Patna in connection with Rani Talab P.S. Case No.148 of 2021, registered under Sections 341, 323, 324, 307, 302 and 34 of the Indian Penal Code and Sections 3(ii)(v) of the SC/ST Act.

Accusation against the appellant and other co-accused persons is of killing the husband of 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 one criminal antecedent as stated in paragraph-3 of the memo of appeal. It is further submitted that the allegations against the appellant are not specific. The specific allegation is against co-accused, Jasvant Kumar @ Bauna and Vikash Kumar. It is further submitted that the appellant has not abused the informant by naming her caste.

Learned Special P.P. for the State as well as learned counsel for the informant 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 A.D.J.-III-cum-Special Judge, SC/ST, Patna in connection with Rani Talab P.S. Case No.148 of 2021, subject to the conditions:

- (i) As laid down under Section 438(2) of the Cr.P.C.
- (ii) The appellant will cooperate in conclusion of the trial.
- (iii) The appellant will remain physically present on



each and every date of trial till disposal of the case.

(iv) The appellant will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(v) In the event of default of two consecutive dates without any cogent reason, the bail bonds of the appellant will liable to be cancelled.

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

(Anjani Kumar Sharan, J)

S.KUMAR/-

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