

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3598 of 2022

Arising Out of PS. Case No.-238 Year-2021 Thana- TARAIIYA District- Saran

ARVIND KUMAR SINGH @ CHIPTA Son of Kamakhya Singh R/V and
P.S- Taraiya, Dist- Saran

... .. Appellant/s

Versus

1. The State of Bihar
2. Prabhat Majhi Son of Late Chhathu majhi Village and P.S-Taraiya, District- Saran

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Nalin Kumar
For the Respondent/s : Mr.Sadanand Paswan

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

4 18-04-2023 The learned counsel for the appellant is directed to

remove all the defects pointed out by the office within one

month.

Heard learned counsel for the appellant as well as the
learned Special Public Prosecutor for the State.

This appeal has been preferred on behalf of the
appellant under Section 14 (A) (2) of the Scheduled Castes and
Scheduled Tribes (Prevention of Atrocities) Act, 1989 for setting
aside the order dated 20.09.2022 passed by the learned 3rd
Additional Sessions Judge-cum-SC/ST Special Court, Saran
registered for offence punishable under sections 341, 324, 504,



307/34 of the Indian Penal Code and Section 27 of the Arms Act read with Section 3(i) (r) (s) of SC/ST (POA) Act, whereby the prayer for anticipatory bail of the appellant has been rejected.

As per allegation, the accused persons including the appellant came on motorcycle. They abused the informant and fired upon him and made him injured.

The learned counsel for the appellant has submitted that no such occurrence has taken place. The appellant has been implicated due to previous disputes and the provisions of SC/ST are not attracted in this case. He has submitted further that on exactly similar footing, co-accused Ravi Kumar@ Ravi Singh @ Ravi Raj and Adarsh Singh @ Adarsh Kumar Singh have been granted bail by a co-ordinate Bench of this Court in Criminal Appeal (SJ) No. 4538 of 2021.

Considering the above-mentioned facts and circumstances, the appeal is allowed and the impugned order dated 20.09.2022 is set aside.

Accordingly, the appellant is directed to be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned 3rd Additional Sessions Judge-cum-SC/ST Special Court, Saran in connection with Taraiya P.S. Case No. 238 of 2021.



Office shall ensure that all defects are removed by the
appellant within the stipulated time mentioned hereinabove,
failing which, the matter shall be brought to the notice of this
Court.

(Nawneet Kumar Pandey, J)

Nirmal/Kundan

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