

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3800 of 2022

Arising Out of PS. Case No.-343 Year-2022 Thana- BANMANKHI District- Purnia

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Santosh Kumar Singh S/O Raghuvansh Prasad Singh Resident Of Village-
Rajhat, Ward No- 14, (Old Ward No- 15), P.S.- Banmankhi, District- Purnea.

... .. Appellant/s

Versus

1. The State of Bihar
2. Raj Kumar Paswan S/O Biranchi Paswan Resident Of Village- Banmankhi
Ward No- 05, P.S.- Banmankhi, District- Purnea.

... .. Respondent/s

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Appearance :

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

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 02-03-2023 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State.

Learned Spl. PP for the State informs this Court that
he has informed informant, no one appears on behalf of the
informant.

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 19.10.2022 passed by learned Special Judge,
SC/ST Act, Purnea in connection with Banmankhi P.S. Case No.
343 of 2022 registered under Sections 341, 504 and 506 of the



Indian Penal Code and Section 3(i)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Allegation against the appellant is that he had abused the informant with caste name and filthy words and publicly abused him.

Learned counsel for the appellant that the appellant has not concern with the aforesaid occurrence. There is no allegation of slating the informant in the specific name of his caste. He submits that the both the parties have entered into compromise in this case and a supplementary affidavit has been filed in this regard. Hence, no offence under Section SC/ST Act is made out against the appellant. Appellant has got one criminal antecedent as mentioned in para-3 of memo of the appeal.

Learned Spl. PP for the State opposes payer for bail and submits that the appellant abuses the respondent no. 2/informant by taking caste name.

Considering the facts and circumstances of the case and the fact that there is compromise between the parties, let the above named appellant, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged 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 Act, Purnea in connection with Banmankhi P.S. Case No. 343 of 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)

anand/-

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