

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL APPEAL (SJ) No.3839 of 2022**

Arising Out of PS. Case No.-204 Year-2022 Thana- NADI P.S. District- Patna

SATISH KUMAR Son of J. P. Ray Resident of Village - Near Mandir  
Maujipur, P.S.- Nadi, District - Patna.

... .. Appellant/s

Versus

1. The State of Bihar
2. Jitan Kumari Wife of Kartik Udaw Resident of Village - Kumahandi, P.S.-  
Bansya, District - Gumla.

... .. Respondent/s

**Appearance :**

For the Appellant/s : Mr. Jay Ram Prasad  
For the Respondent/s : Mr. Binay Krishna

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

3      19-04-2023                      Heard learned counsel for the appellant and learned  
Special Public Prosecutor for the State.

Learned Spl. PP for the State, in compliance of order  
dated 02.03.2023, informed the informant/complainant. Nobody  
appeared on behalf of the informant/complainant.

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 15.09.2022 passed by learned Special Judge,  
SC/ST Act, Patna, in connection with Nadi P.S. Case No. 204 of  
2022 registered under Sections 341, 323, 504, 354(B) of the  
Indian Penal Code and Section 3(i)(xi)(r)/ (w) of the Scheduled



Castes and Scheduled Tribes (Prevention of Atrocities) Act.

As per the FIR, when the informant was in her room a boy came and asked her to come with him. When the informant denied, the said boy tried to forcibly take her, on her refusal he threatened to disrobe her and started to pull. Thereafter, he forcibly pulled out of room and torn her nighty. He also abused her by taking caste name.

Learned counsel for the appellant submits that the appellant has not concern with the aforesaid occurrence. He has falsely been implicated in the present case. There is no allegation of slating the informant in the specific name of his caste. He submits that there is compromise between the parties, a copy of compromise petition is annexed as Annexure-2 of the memo of the appeal. Appellant has got no 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, Patna, in connection with Nadi P.S. Case No. 204 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/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

