

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3880 of 2022

Arising Out of PS. Case No.-149 Year-2022 Thana- SAHPUR District- Patna

PRABHAT KUMAR RANJAN @ UDAY SAMRAT @ UDAI SAMRAT Son
of Late Chandradeo Yadav @ Chandradeo Prasad Singh R/o Vaidehi
Apartment, Jagdeo Path, P.S.- Rupaspur, District - Patna.

... .. Appellant/s

Versus

1. The State of Bihar
2. Maya Kumari Wife of Late Arvind Kumar R/o Village - Chatauni, P.O.-
Motihari Court, P.S.- Chatauni, District - East Champaran.

... .. Respondent/s

with

CRIMINAL APPEAL (SJ) No. 3908 of 2022

Arising Out of PS. Case No.-149 Year-2022 Thana- SAHPUR District- Patna

PRIYA KUMARI @ PRIYA MISHRA Wife of Prabhat Kumar Ranjan @
Uday Samrat @ Uday Samrat R/o Vaidehi Apartment, Jagdeo Path, P.S.-
Rupaspur, District - Patna.

... .. Appellant/s

Versus

1. The State of Bihar
2. Maya Kumari Wife of Late Arvind Kumar R/o Village - Chatauni, P.O.-
Motihari Court, P.S.- Chatauni, District - East Champaran.

... .. Respondent/s

Appearance :

(In CRIMINAL APPEAL (SJ) No. 3880 of 2022)

For the Appellant/s : Mr. Pushkar Narain Shahi, Sr. Adv
Mr.Madhukar Anand, Adv.

For the opposite party : Mr. Dinesh Jha, Adv.

For the Respondent/s : Mr.Sadanand Paswan, SPP

(In CRIMINAL APPEAL (SJ) No. 3908 of 2022)

For the Appellant/s : Mr.Madhukar Anand, Adv.

For the Respondent/s : Mr.Sadanand Paswan, APP

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

ORAL ORDER

7 02-05-2023 Heard learned counsel for the appellants as well as

the learned Special Public Prosecutor for the State.



This appeal has been preferred on behalf of the appellants under Section 14 (A) (2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 for setting aside the order dated 06.09.2022, in connection with Shahpur P.S. Case No. 149 of 2022 registered for offence punishable under sections 406, 420, 341, 323, 504, 506, 34 of the Indian Penal Code and sections 3 (i) (r) (s) (w) (i) of the SC/ST (POA) Act, whereby the prayer for bail of the appellants has been rejected.

As jointly prayed, the terms and condition of refund of the money due to the opposite party no. 2 (informant) from the appellants has been mentioned in paragraph No. 6 of the supplementary affidavit which is extracted here in below:-

“That it has been agreed between the parties that the entire amount will be refunded to the informant/ O.P no. 2 by the appellant over a period of 30 months (two and a half year) in following manner:

Sr.	Time Period	Amount
1-	Rs. 15,00,000/-	At the time of furnishing bail bond.
2-	Rs. 25,00,000/-	Within three months after coming out from the custody.
3-	Rs. 50,00,000/-	Within 06 months from the date of last



		instalment of Rs. 25,00,000/-
4-	Entire rest amount	In three equal seven monthly instalments from the date of payment of the last instalment of Rs. 50,00,000/-

The appellants are directed to adhere with their words given in the paragraph No. 6 of the supplementary affidavit and make a payment to the opposite party No. 2 (informant) as per time schedule mentioned in the paragraph No. 6 of supplementary affidavit.

Considering the above-mentioned facts and circumstances, the appeal is allowed and the impugned order dated 06.09.2022 is set aside.

Accordingly, the appellants, above-named, be released on bail on furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of learned Special Judge SC/ST Act, Patna connection Shahpur P.S. Case No. 149 of 2022.

The learned court below shall be at liberty to pass any order which it deem fit in case the appellants retracts from their words.

The appellant Priya Kumari @ Priya Mishra in



Criminal Appeal (SJ) No. 3908 of 2022 is wife of appellant
Prabhat Kumar Ranjan and considering the above-mentioned
facts and circumstances she is directed to be released on bail.

(Nawneet Kumar Pandey, J)

Sudha/Sonali

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