

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4046 of 2022

Arising Out of PS. Case No.-383 Year-2021 Thana- KOILWAR District- Bhojpur

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Parmod Kumar @ Parmod Kumar Rai Son Of Raj Kumar Rai R/V-
Manachak, P.S.- Koilwar Dist- Bhojpur

... .. Appellant/s

Versus

1. The State of Bihar
2. Mahabir Ram Son Of Lakhan Ram R/V- Mahdeochak, Simariya P.S.-
Koilwar Dist- Bhojpur

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Rajani Ranjan Pd. Singh
For the Respondent/s : Mr.Usha Kumari 1

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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.

From perusal of the office notes, it appears that the
notice has been validly served upon the respondent no. 2 but
nobody appears on his behalf.

This is an appeal under section 14(A)(2) of the Scheduled
Castes and Scheduled Tribes (Prevention of Atrocities) Act,
(hereinafter in short referred to as the 'SC/ST Act') against the
refusal of prayer for bail vide order dated 23.09.2022, passed by
learned 1st Additional Sessions Judge-cum-Special Judge, SC/ST
Act, Bhojpur at Ara in connection with Koilwar P.S. Case No.
383 of 2021, registered under Sections 147, 148, 341, 307, 504,
506, 149 of the IPC and Sections 3(1)(i) (f) (g)(s), 3(2) (v) of



SC/ST Act.

Appellant along with other accused persons are said to have abused the informant and also assaulted him.

It is submitted by learned counsel for the appellant that the appellant is innocent and has been falsely implicated in this case. He submits that there is no specific overt act against the appellant to abuse the informant by taking caste name. He submits that the similarly situated co-accused has already been granted bail by this Court vide order dated 22.02.2023 passed in Cr. APP (SJ) No. 1978 of 2022. He further submits that appellant has criminal antecedent as stated in para-3 of this appeal.

Considering the facts and circumstances of the case and the fact that the similarly situated co-accused has already been granted bail, 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 the learned 1st Additional Sessions Judge-cum-Special Judge, SC/ST Act, Bhojpur at Ara in connection with Koilwar P.S. Case No. 383 of 2021, subject to the condition as



laid down under Section 438 (2) of the Cr.P.C.

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

(Anjani Kumar Sharan, J)

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