

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4051 of 2022

Arising Out of PS. Case No.-639 Year-2022 Thana- BETTIAH CITY District- West
Champaran

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Aditya Prakash S/O Shri Babu Gupta R/V- Ilamram Chowk, Ganj No. 2, P.S.-
Bettiah Town, District- West Champaran

... .. Appellant/s

Versus

1. The State of Bihar
2. Gourav Kumar S/O Pramod Ram R/O- Shishak Nagar, Ward No. 31, P.S.-
Bettiah Town, District- West Champaran

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Bimlesh Kumar Pandey
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, respondent no.
2 and learned Special Public Prosecutor for the State.

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 20.10.2022, passed by
learned Additional District and Sessions Judge 1st cum Special
Judge (SC/ST), Bettiah, West Champaran in connection with
Bettiah Town P.S. Case No. 639 of 2022, registered under
Sections 323, 341, 324, 504, 506, 379/34 of the IPC and
Sections 3(i) (s) of SC/ST Act.

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 there is compromise in between the parties. This fact has not been disputed by the learned counsel for the respondent no. 2. He further submits that appellant has no criminal antecedent as stated in para-3 of this appeal.

Considering the facts and circumstances of the case and the fact that the compromise has been done in 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 the learned Additional District and Sessions Judge-1-cum Special Judge, Bettiah, West Champaran in connection with Bettiah (Town) P.S. Case No. 639 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 the appeal is allowed.

(Anjani Kumar Sharan, J)

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