

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4162 of 2022**

Arising Out of PS. Case No.-156 Year-2022 Thana- BETTIAH CITY District- West
Champaran

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Nadeem Akhtar @ Madeem Akhtar S/O Late Raees Ahmad R/O- Purani
Gudri, P.S.- Bettiah Town (Kaalibagh O.P), District- West Champaran

... .. Appellant/s

Versus

1. The State of Bihar
2. Vasudev Ram Chaturi Ram R/o-Malvi Tola, Gurwalia, P.S.-Manuapul,
District-West Champaran

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Shadab Akhter

For the Respondent/s : Mr. Sadanand Paswan

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

5 09-08-2023 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State.

2. Learned Spl. PP for the State, in compliance of
order dated 12.07.2023, informed the informant/complainant.
Nobody appeared on behalf of the informant/complainant.

3. 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 05.11.2022 passed by learned Additional
District and Sessions Judge 1st Cum Special Judge SC/ST,
Bettiah, District- West Champaran, in connection with Bettiah



(Town) P.S. Case No. 156 of 2022 registered under Sections 341, 323, 324 and 307 of the Indian Penal Code and Section 3(1)(i)(r)(f)(2)(v-a) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

4. As per the prosecution case, the appellant is said to have assaulted the informant by means of knife.

5. Learned counsel for the appellant submits that the appellant has not concern with the aforesaid occurrence. The allegation levelled against the appellant is not specific rather general and omnibus in nature. He submits that the injury was found simple in nature, it is clear from the injury report which is enclosed in the case diary. Appellant has one criminal antecedent as mentioned in para-3 of memo of the appeal.

6. Learned Spl. PP for the State opposes payer for anticipatory bail.

7. Considering the facts and circumstances of the case and the nature of the injury, 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 Additional District and Sessions Judge 1st



Cum Special Judge SC/ST, Bettiah, District- West Champaran,
in connection with Bettiah (Town) P.S. Case No. 156 of 2022,
subject to the condition as laid down under Section 438(2) of
the Cr.P.C.

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

(Anjani Kumar Sharan, J)

anand/-

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