

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4236 of 2022

Arising Out of PS. Case No.-322 Year-2022 Thana- RIVILGANJ District- Saran

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1. DHARMENDRA SINGH S/O Munna Singh R/O Village- Methwaliya, Purab Tola, P.S- Revilganj, District- Saran at Chapra (Bihar)
 2. Sahil Singh S/O Dharmendra Singh R/O Village- Methwaliya, Purab Tola, P.S- Revilganj, District- Saran at Chapra (Bihar)

... .. Appellant/s

Versus

1. The State of Bihar
2. Monika Devi W/O Satish Baitha R/O Village- Methwaliya, P.S- Revilganj, District- Saran at Chapra (Bihar)

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Rakesh Kumar
For the Respondent/s : Mrs. Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 26-04-2023 Heard learned counsel for the appellants and learned
Special Public Prosecutor for the State.

Learned Special Public Prosecutor for the State informs this Court that he has complied the order dated 15.03.2023 but nobody appeared on behalf of the respondent no.2.

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 02.11.2022 passed by learned III Additional



Sessions Judge, Saran at Chhapra in connection with Revilganj P.S. Case No. 322/2022, registered under Sections 341, 323, 324, 354(B), 504 and 506 of the Indian Penal Code and Section 3(i)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

It is submitted by learned counsel for the appellants that the appellants have no concern with the aforesaid occurrence. The occurrence took place on 17.06.2022 but FIR lodged on 10.09.2022 after a delay of about three months and there is no any explanation of it which creates serious doubt about the prosecution case There is compromise between the parties. Appellants have got no criminal antecedent as mentioned in para-3 of memo of appeal.

Learned Spl. PP for the State opposes the prayer for bail.

In the facts and circumstances of the case and the fact that there is delay in filing of the present FIR, let the above named appellants, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bonds of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned III



Additional Sessions Judge, Saran at Chhapra in connection with
Revilganj P.S. Case No. 322/2022, 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)

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