

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4180 of 2022

Arising Out of PS. Case No.-208 Year-2022 Thana- DULHIN BAZAR District- Patna

RAJU KUMAR @ RAJU MAHTO S/o Late Sharda Nand Singh @ Sharda
Prasad R/o Village- Singhara, P.S.- Dulhin Bazar, Distt- Patna.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant	:	Mr. Y.C. Verma, Senior Advocate Mr. Shiva Shankar Pd. Singh, Advocate Mr. Pushpendra Priyedarshi, Advocate
For the State	:	Mr. Mohit Sriwastava, Advocate Mr. Sadanand Paswan, Special P.P.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 03-05-2023 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State.

In view of the earlier order dated 15.03.2023, the informant was informed about her appearance in this case by the learned Special P.P. for the State, but nobody has entered appearance on her behalf.

This is an appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter referred to as 'the SC/ST Act') against the refusal of prayer of anticipatory bail vide order dated 17.10.2022, passed by learned Exclusive Special Court, SC/ST Act, Patna in connection with Dulhin Bazar P.S. Case No.208 of



2022, registered under Sections 341, 323, 504 and 34 of the Indian Penal Code and Sections 3(i)(r)(s)/3(2)(v) of the SC/ST Act.

The appellant and other co-accused persons are said to have abused the informant by naming her caste.

Learned counsel for the appellant submits that the appellant is innocent and has falsely been implicated in the present case. It is submitted that the appellant has got no criminal antecedent as stated in paragraph-3 of the memo of appeal. It is further submitted that there is case and counter case between the parties. The brother of the appellant had earlier lodged a case against the informant and thereafter the informant has lodged the present case against the appellant.

Learned Special P.P. for the State opposed the prayer for grant of anticipatory bail to the appellant.

Considering the fact that there is case and counter case between the parties, let appellant, above named, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, be released 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 Exclusive Special Court, SC/ST Act,



Patna in connection with Dulhin Bazar P.S. Case No.208 of 2022, subject to the conditions 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)

S.KUMAR/-

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