

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4119 of 2022

Arising Out of PS. Case No.-4 Year-2022 Thana- SC/ST District- Purnia

ANISH KUMAR @ ANISH KUMAR SINHA Son of Late Mahendra Prasad Sinha Resident of Mohalla Sipahi Tola Gali No. 5, P.S- K. Hat T.O.P Madhubani (Wrongly mentioned P.S- Muffasil in the accused column of F.I.R.) Dist- Purnea

... .. Appellant/s

Versus

1. The State of Bihar
2. Chunnu Rishi Son of Late kishnu Rishi Resident of Anup Nagar Belouri, P.S- Muffasil, Dist- Purnea

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Sujit Kumar Singh
For the Respondent/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 18-01-2023 Heard learned counsel for the appellant and learned Special Public Prosecutor for the State.

Learned Special Public Prosecutor for the State informs this Court that he has informed the informant but nobody appeared on his behalf.

This is an appeal filed 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 10.11.2022 passed by learned Special Judge SC/ST (POA), Purnea in connection with Purnea SC/ST P.S. Case No. 04/2022 registered under Sections 341, 323, 324, 307,



504, 506 and 34 of the Indian Penal Code and Section 3(1)(R) (S) 3 (2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

It is submitted by learned counsel for the appellant that the appellant has no concern with the aforesaid occurrence. There is admitted land dispute between the parties which is clear from the F.I.R. itself. He relied upon the judgment of Hon'ble Apex Court in the case of *Hitesh Verma Vs. State of Uttarakhand and another reported in (2020) 10 SCC 710*. Appellant has got no criminal antecedent as mentioned in para-3 of memo of appeal.

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

Considering the judgment of Hon'ble Apex Court, 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 Special Judge SC/ST (POA), Purnea in connection with Purnea SC/ST P.S. Case No. 04/2022, 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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