

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4286 of 2022**

Arising Out of PS. Case No.-253 Year-2022 Thana- JAKKANPUR District- Patna

MANGARU YADAV @ PINTU YADAV @ MANGARU @ PINTU S/o
Shiwshankar Rai @ Shiv Shankar Singh R/o Village- Chandpur Bela
Chamartoli Behind, the house of Anand Sir, P.S.- Jakkanpur, Distt- Patna.

... .. Appellant/s

Versus

1. The State of Bihar
2. Bharat Ram S/o Late Ratan Ram R/o Village- Chanpurbela, Chamaratoli,
P.S.- Jakkanpur, Distt- Patna.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Ajay Kumar Sinha
For the Respondent/s : Mr.Binay Krishna

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

- 3 21-03-2023 Heard learned counsel for the appellant as well as
learned counsel for the informant.

This appeal has been preferred on behalf of the appellant under Section 14-A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act for setting aside the order dated 19.10.2022 passed by the learned exclusive special Court, SC/ST Act, Patna in Serial No. 152 of 2022 arising out of Jakkanpur P.S. Case No. 253 of 2022, registered for the offences punishable under Sections 341, 323, 324, 307, 504 of the Indian Penal Code & Section 3(i)(r)(s) of SC and ST (Prevention of Atrocities) Act, whereby the prayer for anticipatory bail of the appellants has been rejected.



As per allegation, when the informant prohibited the appellant from spitting, he became furious and inflicted knife blow at his stomach, making him seriously injured.

The learned counsel for the appellant has submitted that the charge-sheet has been submitted. As such, no custodial interrogation is required. The appellant is a person of clean antecedent and he is under custody since 15.05.2022.

On the other hand, the learned counsel for the informant has opposed the prayer for bail and submitted that the appellant is direct assailant and there is allegation against him that he stabbed into stomach of the informant, making him seriously injured.

In these circumstances, the provisions of SC/ST Act is not attracted prima facie. As such, the appeal is allowed and the impugned order dated 19.10.2022 passed by the learned Exclusive Special Court, SC/ST Act, Patna is set aside.

Accordingly, in the event of arrest or surrender within four weeks from today, the appellants above-named, shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, SC/ST Act, Patna in connection with Serial No. 152 of



2022, arising out of Jakkanpur P.S. Case No. 253 of 2022.

If it is found that the appellant is involved in any other case of similar nature, the learned court below shall be at liberty to cancel his bail bond.

(Nawneet Kumar Pandey, J)

kundan/nirmal

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