

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4362 of 2022**

Arising Out of PS. Case No.-438 Year-2022 Thana- KAUWAKOL District- Nawada

ANIL SINGH Son of Late Kedar Singh Resident of Village - Kadhar, P.S.-
Kawakol, Distt.- Nawada

... .. Appellant/s

Versus

1. The State of Bihar
2. Sanjay Manjhi Son of Sri Bacchu Manjhi Resident of Village - Kadhar, P.S.-
Kawakol, Distt.- Nawada

... .. Respondent/s

Appearance :

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

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

3 08-02-2023 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 complied the order dated
04.01.2023 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 17. 11.2022 passed by learned Special Judge,
Exclusive Special Court (SC/ST) Act, Nawada in connection



with Kawa Kol P.S. Case No. 438/2022, registered under Sections 341, 323, 379, 504 and 506 of the Indian Penal Code and Section 3(1)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

It is submitted by learned counsel for the appellant that the appellant have no concern with the aforesaid occurrence. There is no specific overt act against the appellant. In the supplementary affidavit the copy of the FIR is enclosed in which he stated that he filed a case against the Sanjiv Singh @ Mantun Singh thereafter the present case is filed by the witness of the complaint case Sanjay Manjhi. Appellant has got two criminal antecedents as mentioned in para-3 of memo of appeal.

Learned Spl. PP for the State opposes the prayer for bail and submits that the appellant abuse the respondent no.2/informant by taking caste name.

In the facts and circumstances of the case, 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, Exclusive Special Court (SC/ST) Act, Nawada in



connection with Kawa Kol P.S. Case No. 438/2022, 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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