

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.28 of 2023**

Arising Out of PS. Case No.-21 Year-2021 Thana- SC/ST District- Siwan

SATWANT KUMAR @ SATWANT PATEL Son of Veer Patel R/v- Barauli,
P.S.- Andar Dist- Siwan.

... .. Appellant/s

Versus

1. The State of Bihar.
2. BANARAS RAM Son of Jokhan Ram R/v- Mukundpur, P.O.- Bhainsakhil,
P.S.- Ziradeyi, Dist- Siwan.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Kumari Anupam
For the Respondent/s : Mr.Binay Krishna

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

4 21-06-2023 I.A. No.01 of 2023 has been filed for condonation of
delay of five months in filing the instant appeal.

For the reasons stated in I.A. No.01 of 2023, the delay
of five months in filing the instant appeal is hereby condoned.

I.A. No.01 of 2023 is allowed.

Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State.

In view of the earlier order dated 26.04.2023, the
informant was informed about his appearance in this case by the
learned Special P.P. for the State, but nobody has entered
appearance on his 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 11.05.2022, passed by learned 1st Additional District & Sessions Judge-cum-Special Judge, Siwan in connection with SC/ST P.S. Case No.21 of 2021, registered under Sections 341, 323, 379, 504, 506 and 34 of the Indian Penal Code and Sections 3(i)(r) (s)/3(2)(va) of the SC/ST Act.

The appellant and other co-accused persons are said to have assaulted the informant causing injuries to him.

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 no specific overt act is alleged against the appellant. The allegation against the appellant is general and omnibus. It is submitted that similarly situated co-accused, Dharmendra Singh has already been enlarged on bail by this Court vide order dated 14.12.2022, passed in Criminal Appeal (SJ) No.1912 of 2022.

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

Considering the fact that no specific overt act is



alleged against the appellant, 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 Additional Sessions Judge, 1st-cum-Special Judge, Siwan in connection with SC/ST P.S. Case No.21 of 2021, 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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