

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.551 of 2024

Arising Out of PS. Case No.-612 Year-2022 Thana- DANAPUR District- Patna

Vikash Mishra Son Of Sri Vijendra Mishra R/O-Ramasarh, P.S.-SANDESH,
Distt.-BHOJPUR

... .. Appellant/s

Versus

1. The State of Bihar
2. Arvind Paswan, S/O Yogendra Paswan, R/o Flat No. 101, Universal Classic
Lane-15 S.K.Puram, P.S. Danapur, Dist. Patna

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Ranjan Sinha, Advocate

For the Respondent/s : Mr. Sadanand Paswan, Spl. Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 19-09-2024 None appears on behalf of the respondent No. 2.

2. Heard learned counsel for the appellant and the
State.

3. This criminal appeal has been filed against the
order dated 19.12.2023 passed by learned Exclusive Special
Court, SC/ST Act, Patna in ABP No. 9700 of 2023 in connection
with Danapur P.S. Case No. 612 of 2022, instituted under
Sections 341, 323, 448, 504, 506 of the Indian Penal Code and
Sections 3(1)(r)(s) of the Scheduled Castes and Scheduled
Tribes (Prevention of Atrocities) Act, whereby the prayer for
anticipatory bail of appellant has been rejected.

4. Allegation against appellant is that on the alleged
date and time of occurrence, appellant entered the house of
informant and started abusing him by caste name and assaulted
informant with kicks and punches.



5. Learned counsel for the appellant submits that appellant is innocent and he has committed no offence. F.I.R. does not disclose presence of any member of public when the incident occurred, as such, no offence under SC/ST Act is made out against appellant. It is further submitted that with the intervention of well-wishers, dispute between the parties has been resolved and in this regard a joint compromise petition has also been filed before the learned court below (Annexure-2). Appellant claims clean antecedent.

6. Considering the aforesaid facts, let the appellant, as named above, in the event of his arrest/surrender within a period of eight weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Court, SC/ST Act, Patna in connection with Danapur P.S. Case No. 612 of 2022.

7. Accordingly, this criminal appeal is allowed and impugned order dated 19.12.2023 is set aside with respect to this appellant only.

(Prabhat Kumar Singh, J)

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