

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.479 of 2024

Arising Out of PS. Case No.-1035 Year-2023 Thana- SHERGHATI District- Gaya

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Nawal Singh @ Nawal Kishor Singh, S/O Sachitanand Singh R/O Village-
Palakiya, P.S- Sherghati, Distt.- Gaya.

... .. Appellant/s

Versus

1. The State Of Bihar
2. Ravi Kumar, S/O Mohani Manjhi R/O Village- Palakiya, P.S- Sherghati,
Distt.- Gaya.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Bimlesh Kumar Pandey
For the Respondent/s : Mr.Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 24-04-2024 1. Heard learned counsel for the appellant and the
learned Special Public Prosecutor for the State.

2. The appellant has challenged the order dated
13.12.2023 passed by the learned Exclusive Special Judge,
SC/ST Special Court, Gaya in A.B.P. No.418 of 2023 arising out
of Sherghati P. S. Case No.1035 of 2023, instituted for the
offences under Sections 341, 323, 307, 504 and 34 of the Indian
Penal Code and Section 3(i)(r)(s), 3(2)(va) of the Scheduled
Castes & Scheduled Tribes (Prevention of Atrocities) Act,
whereby his prayer for grant of anticipatory bail has been
rejected.

3. The learned counsel for the appellant submits that



appellant is a person with clean antecedent and has been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegation as alleged in the F.I.R., it would manifest that neither the informant alleges that the appellant assaulted or abused, but then, it is alleged that he was also present at the place of occurrence and the thrust of allegation is against co-accused Shani Singh, who is alleged to have assaulted the informant by rod causing injury on head. It is next submitted that on intervention of well-wishers, a compromise dated 18.10.2023 has been entered in between the appellant and the informant.

4. The learned Special P. P. opposes the anticipatory bail application.

5. Regard being had to the aforesaid submissions, the order dated 13.12.2023 is set-aside.

6. The appeal stands allowed.

7. The appellant, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, SC/ST Special



Court, Gaya in A.B.P. No.418 of 2023 arising out of Sherghati P. S. Case No.1035 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

8. However, the learned trial Court before accepting the bail bonds of the appellant shall verify from the informant with regard to the compromise dated 18.10.2023 and in the event, if the informant raises any objection, in that event, the present order shall not be given effect to, but if the informant does not raise any objection, in that event, the bail bonds shall be accepted forthwith.

(Satyavrat Verma, J)

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