

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1664 of 2024

Arising Out of PS. Case No.-17 Year-2023 Thana- SC/ST District- Purnia

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Satyaki Kumar @ Vivek Yadav @ Vivek Kumar @ Sattiyaki Son of
Shailendra Yadav Resident of Jiyanganj, P.S. Sarsi, District- Purnea

... .. Appellant/s

Versus

1. The State of Bihar
2. Sudama Devi Wife of Jahuri Rishi Resident of Jiyanganj, Bandh Tola, P.S.-
Sarsi, District- Purnea

... .. Respondent/s

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Appearance :

For the Appellant/s : Md. Fazle Karim, Adv.

For the Respondent/s : Mr. Binay Krishna, Spl.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 11-07-2024 1. Heard learned counsel for the appellant and learned
Spl.P.P. for the State Mr. Binay Krishna.

2. 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 for **anticipatory bail** vide
order dated 07.03.2024 passed by the learned Special
Judge/Court (SC/ST Act), Purnea in connection with SC/ST P.S.
Case No. 17 of 2023 registered under Sections 341, 323, 324,
504, 506 and 34 of the Indian Penal Code and Section 3(i)(r)(s)
of the Schedule Caste and Schedule Tribes (Prevention of
Atrocities Act).



3. Learned senior counsel for the appellant submits that earlier the appellant had moved this Court by earning Cr. APP. (S.J.) No. 4264 of 2023 seeking anticipatory bail on the same was permitted to the withdrawn vide order dated 01.03.2024.

4. 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 FIR it would manifest that the informant alleges that Shailendra Yadav came to the house of the informant and asked her husband to do work in his field but her husband refused on the pretext that he was not well on which Shailendra abused him by taking cast name and even threatened him. Thereafter, it is alleged that informant along with her husband were going to the house of the Sarpanch to complain about the occurrence, when appellant stopped them and abused by taking cast name and even assaulted her husband by an iron rod and when she came to rescue her husband she was assaulted by the appellant and his father. Learned senior counsel for the appellant further submits that appellant has been falsely implicated in the instant case. It is also submitted that appellant is in custody since 19.02.2024



and he will not abscond and will face the trial.

5. Learned Spl.P.P. for the State opposes the prayer for anticipatory bail of the appellant.

6. Considering the submissions made by the learned counsel for the appellants, order dated 07.03.2024 passed by the learned Special Judge/Court (SC/ST Act), Purnea in connection with SC/ST P.S. Case No. 17 of 2023, **is hereby set aside** and the appellants, above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with SC/ST P.S. Case No. 17 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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