

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2131 of 2024

Arising Out of PS. Case No.-1197 Year-2023 Thana- KHAJANCHI HAT District- Purnia

Rajendra Das @ Inda @ Jitendra Das @ Jitendra Kumar Das Son of Saina
Das Resident of Lalganj, P.S. - K. Hat (Maranga), District - Purnea

... .. Appellant/s

Versus

1. The State of Bihar
2. Rimjhim Mehtar Wife of Vijay Mehtar Resident of Brajesh Nagar, P.S. - K. Hat, District - Purnea.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Md Fazle Karim
For the Respondent/s : Ms. Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 12-07-2024 1. Heard the learned counsel for the appellant and the
learned Special P.P. Ms. Usha Kumari No.1.

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 04.04.2024 in A.B.P. No. 26 of 2024 passed by the learned Special Judge SC/ST Act, Purnea in connection with K.Hat P.S. Case No.1197/2023, registered under Sections 147, 148, 341, 342, 352, 323, 354, 504, 506 of the Indian Penal Code as well as Sections 3(1)(r)(s) of the SC/ST Act.

3. Learned counsel for the appellant submits that



appellant is a person with clean antecedent and has been falsely implicated in the present case by the informant. It is further submitted that similarly situated co-accused Hare Ram Das, Khagendra Chandra Das, Shakar Das @ Shankar Kumar and Ranjan Das have approached this court by filing Cr. Appeal (SJ) No.844/2024 and the same was allowed by an order dated 29.02.2024 after hearing the learned counsel appearing on behalf of the informant. It is further submitted that the fact of the case has been considered in detail in the order dated 29.02.2024. It is next submitted that since the appellant is similarly situated to the accused, who have been granted the privilege of anticipatory bail, thus seeks parity.

4. Learned Special Public Prosecutor opposes the prayer for anticipatory bail.

5. Considering the submission of the learned counsel for the appellant, the appellant, above named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs.5,000/- (rupees five thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending in connection with the aforesaid case,



subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

6. Accordingly, the impugned order is set aside and this appeal stands allowed.

(Satyavrat Verma, J)

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