

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3223 of 2024

Arising Out of PS. Case No.-18 Year-2024 Thana- SC/ST District- Sheikhpura

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1. Sunil Kumar Son Of Phulo Yadav Resident Of Mohalla- Bangalipar, Police Station-District -SHEIKHPURA
 2. Ajay @ Lagan Yadav Son Of Arjun Yadav @ Bochan Yadav Resident Of Mohalla- Bangalipar, Police Station-District -SHEIKHPURA

... .. Appellant/s

Versus

1. The State of Bihar
2. Chhotu Kumar Son Of Kailash Tanti Resident Of Mohalla- Bangalipar, Police Station-District -sheikhpura

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Nilendu Kumar Choudhary
For the Respondent/s : Mr.Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 03-09-2024 1. Heard learned counsel for the appellants and learned Spl. P.P. for the State, Shri Sadanand Paswan.

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 27-6-2024 in A.B.P. No. 344 of 2024 passed by the learned 1st Additional Distt. & Sessions Judge-cum-Special Judge S.C./S.T. Act, Sheikhpura in connection with Sheikhpura SC/ST P.S. Case No. 18 of 2024, registered for the offences punishable under Sections 147, 149, 341, 323, 307, 379, 504,



506, 354B of the Indian Penal Code as well as Sections 3(1)(r) (s)(w)(i)/3(2)(va) of the SC/ST Act.

3. Learned counsel for the appellants at the outset submits that on intervention of well-wishers, the parties have compromised the case as would manifest from the Compromise Petition dated 31-5-2024 (annexure-3 to the appeal). It is next submitted that since the parties have compromised, no useful purpose would be served by sending the appellants to jail when informant does not intend to pursue the case.

4. Learned Spl. P.P. for the State opposes the prayer for anticipatory bail of the appellants.

5. Considering the aforesaid facts, let 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) each 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 the aforesaid case, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

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



7. However, the learned trial court before accepting the bail bonds of the appellants shall verify from the informant about the genuineness of the compromise and in the event if the informant disputes the compromise in that event the present order shall not be given effect to.

(Satyavrat Verma, J)

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