

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3603 of 2024

Arising Out of PS. Case No.-316 Year-2023 Thana- MOHIUDDIN NAGAR District-
Samastipur

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Abhishek Kumar Singh @ Abhishek Singh S/O Sri Dinesh Singh R/O
Village- Sultanpur Madhya (DIARA Sultanpur), P.S- Mohiuddinn Nagar,
Distt.- Samastipur.

... .. Appellant/S

Versus

1. The State Of Bihar
2. Shivji Ram S/O Late Ramdeo Ram R/O Village- Sultanpur Madhya, P.S-
Mohiuddinn Nagar, Distt.- Samastipur.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Bishwajeet Singh
For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 02-08-2024 1. Heard learned counsel for the appellant and the
learned Special P.P. 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 04.07.2024 passed by the learned Special Judge
SC/ST (POA) Act, Samastipur in connection with Mohiuddin
Nagar P.S. Case No. 316/2023, registered under Sections 341,
323, 324, 307, 354-B, 325, 504, 506 and 34 of the Indian Penal
Code as well as Sections 3(1)(r)(s), 3(I)(w)(ii), 3(2)(va) of the



SC/ST Act.

3. Learned counsel for the appellant submits that Dinesh Kumar Singh along with three others had moved this court seeking anticipatory bail by filing Cr. Appeal (SJ) No.837/2024 and the same was allowed by an order dated 22.04.2024. It is next submitted that the case of the appellant is similar to that of Dinesh Kumar Singh and others, who have been granted the privilege of anticipatory bail, as such, the learned counsel for the appellant based on parity, seeks anticipatory bail for the appellant, who is a person with clean antecedent. It is also submitted by the learned counsel appearing on behalf of the appellant that when the case of Dinesh Kumar Singh and others were taken, notices were issued and the learned Advocate had appeared on behalf of the respondent no.2 but when the case was taken up on 22.04.2024, no one had appeared on behalf of the respondent no.2.

4. Learned Special Public Prosecutor Mr. Binay Krishna opposes the prayer for anticipatory bail but then is not in a position to rebut the submission of the learned counsel appearing on behalf of the appellant that the case of the appellant is on similar to that of Dinesh Kumar Singh and others.



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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