

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3708 of 2024

Arising Out of PS. Case No.-3 Year-2023 Thana- FATEHPUR District- Kishanganj

Tanweer Alam @ Tanber Alam Md. Anarul Haque @ Anwarul @ Mangla
Lachhmipur Fulbari, Ps- Kodhobari Dist- Kishanganj

... .. Appellant/s

Versus

1. The State of Bihar
2. Kamala Devi wife of Muni Lal Harijan Village- Pipra W.NO-13, Ps- Fatehpur Dist- Kishanganj

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Amal Kumar Sinha
For the Respondent/s	:	Mr. Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 26-09-2024 1. Heard learned counsel for the appellant and the learned Special P.P. Mr. Sadanand Paswan along with learned counsel appearing on behalf of the respondent no.2 Mr. K.N. Jamuar.
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 03.07.2024 in A.B.P. No. 1280 of 2023 passed by the learned 1st Additional Sessions Judge, Kishanganj in connection with Fatehpur P.S. Case No. 03 of 2023 registered under Sections 363, 366A, 341, 323, 504, 34 of the Indian Penal Code as well as Sections 3(1)(r)(s) and 3(2) (va) of the SC/ST (POA) Act, 1989.
3. Learned counsel for the respondent no.2 at the outset submits that he has instruction not to oppose the anticipatory bail



application of the appellant. It is also submitted that the dispute was matrimonial and the same has been resolved amicably.

4. Learned counsel appearing on behalf of the appellant also concurs with the submission of the learned counsel appearing on behalf of the respondent no.2.

5. Considering the submission made by the learned counsel appearing on behalf of the respondent no.2, the order impugned is set aside and 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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