

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5701 of 2023

Arising Out of PS. Case No.-942 Year-2021 Thana- FATUA District- Patna

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Upendra Kumar SON OF Chandradeo Prasad Yadav RESIDENT OF
VILLAGE- GAGAPUR, PS- FATUHA, DISTT- PATNA

... .. Appellant/s

Versus

1. The State of Bihar
2. RAM JATAN DAS SON OF LATE SHIV NANDAN MOCHI RESIDENT
OF VILLAGE- AANGAPUR, PS- FATUHA, DISTT- PATNA

... .. Respondent/s

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Appearance :

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

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 16-02-2024 Heard learned counsel for the appellant and learned Special
Public Prosecutor for the State assisted by learned counsel for
the respondent no.2.

2. This is an appeal under Section 14(A)(2) of the Scheduled
Castes and Scheduled Tribes (Prevention of Atrocities) Act,
1989 (hereinafter in short referred to as the 'SC/ST Act') against
the refusal of prayer of anticipatory bail vide order dated
04.12.2023 passed by learned Exclusive Special Judge (SC/ST
Act), Patna in connection with Fatuha P.S. Case No. 942 of
2021 registered under Sections 341, 323, 447, 379, 504 &
506/34 of the Indian Penal Code and Section 3(1) (r) of the
Scheduled Castes and Scheduled Tribes (Prevention of



Atrocities) Act.

3. At the very outset, it is submitted by learned counsel for the appellant that a compromise has entered into between the parties and the matter has been settled.
4. Learned counsel for the respondent no.2 accedes to the aforesaid submission.
5. In the facts and circumstances of the case as well as the fact that a compromise has entered into between the parties, the above named appellant, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge (SC/ST Act), Patna in connection with Fatuha P.S. Case No.942 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.
6. Accordingly, the impugned order is set aside and this appeal is allowed.

(Anjani Kumar Sharan, J)

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