

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.605 of 2022

Arising Out of PS. Case No.-321 Year-2021 Thana- MASHRAK District- Saran

Munna Rai @ Anil Kumar Yadav Son Of Harendra Rai R/O Village- Sundar,
P.O.- Harpur Jan, P.S.- Mashrakh, District- Saran At Chapra
... .. Appellant/s

Versus

1. The State Of Bihar
2. Harishankar Sharma Son of Late Daroga Sharma R/o vill-Karn Kudariya ,
P.S.- Mashark, Dist- Saran at Chapra
... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Jeetendra Narayan
For the Respondent/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 26-03-2025 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State.

2. Learned Special Public Prosecutor for the State has informed that in compliance of the order dated 18.01.2023, he has informed the informant/complainant but none is present on his/her behalf.

3. This is an appeal under section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, (hereinafter in short referred to as the ‘SC/ST Act’) against the refusal of prayer for bail vide order dated 14.09.2021, passed by learned 1st Additional Sessions Judge-cum-Special Judge (SC/ST Act), Saran at Chapra in connection with Mashrak P.S. Case No. 321 of 2021, registered under



Sections 341, 323, 379, 504, 506, 34 of the IPC and Sections 3(i) (r) (w) of SC/ST Act.

4. Appellant along with other accused persons are said to have abused the informant and also assaulted him.

5. It is submitted by learned counsel for the appellant that the appellant is innocent and has been falsely implicated in this case. He submits that there is no specific overt act against the appellant to abuse the informant by taking caste name. He submits that there is general and omnibus allegation levelled against the appellant. He submits that SC/ST Act is not made out against the appellant. He submits that there is compromise between the parties. He further submits that appellant has no criminal antecedent as stated in para-3 of this appeal.

6. However, learned APP for the State opposes the prayer for bail.

7. Considering the facts and circumstances of the case and the fact that there is compromise between the parties, let 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 enlarged 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 3rd Additional Sessions Judge-cum-Special Judge
SC/ST (POA) (Act), Saran at Chapra in connection with
Mashrak P.S. Case No. 321 of 2021, subject to the condition as
laid down under Section 438 (2) of the Cr.P.C.

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

(Anjani Kumar Sharan, J)

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