

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2810 of 2024

Arising Out of PS. Case No.-449 Year-2023 Thana- GORAUL District- Vaishali

Pankaj Kumar Singh Son Of Arun Kumar Singh Vill- Bulan Saray
(CHAKMASUD) Ps- Bidupur, Dist- Vaishali

... .. Appellant/s

Versus

1. The State of Bihar
2. Devanti Devi Wife Of Late Jagarnath Das Village- Lakshminarayanpur, Ps- Goraul, Dist- Vaishali

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Hemant Kumar, Advocate
For the Respondent/s : Mr. Binay Krishna, Spl. Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 15-05-2025 Despite filing *Vakalatnama*, none appears on behalf of the respondent No. 2.

2. Heard learned counsel for the appellant and the State.

3. This criminal appeal has been filed against the order dated 23.12.2023 passed by learned Exclusive Special Court (SC/ST), Vaishali at Hajipur in ABP No. 3047 of 2023 in connection with Goraul P.S. Case No. 449 of 2023, instituted under Sections 406/ 420 of the Indian Penal Code and Sections 3(i)(r)(s), 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, whereby the prayer for anticipatory bail of appellant has been rejected.



4. Prosecution story, in brief, is that on 02.07.2023 at about 2 PM, this appellant took Rs. 50,000/- from informant in the name of securing her job on the post of Peon in Bindhi Dot company but never got her employed. When informant demanded her money back, this appellant abused her by caste name and assaulted her.

5. Learned counsel for the appellant submits that dispute between the parties has already been resolved as during pendency of the case, the alleged amount has been returned to the informant and a joint compromise petition has been filed in the learned court below on 09.11.2023 (Annexure-P/2). It is not the case of informant that alleged incident occurred within the public view, as such, no offence under SC/ST Act is made out against appellant. Appellant claims clean antecedent.

6. Learned Spl. Public Prosecutor for the State opposed the bail application.

7. Considering the aforesaid facts, let the appellant, as named above, in the event of his arrest/surrender within a period of eight weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Exclusive Special Court (SC/ST), Vaishali at Hajipur in connection with Goraul



P.S. Case No. 449 of 2023.

8. Accordingly, this criminal appeal is allowed and
impugned order dated 23.12.2023 is set aside with respect to
this appellant only.

(Prabhat Kumar Singh, J)

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