

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5289 of 2024

Arising Out of PS. Case No.-812 Year-2024 Thana- ALAMGANJ District- Patna

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1. Satyendra Kumar Son of Brahmdeo Prasad Resident of Mohalla- Bajrangpuri, Lane No.2, Yasoda Path, P.S.- Alamganj, District- Patna.
 2. Amrita Kumari Wife of Satyendra Kumar Resident of Mohalla- Bajrangpuri, Lane No.2, Yasoda Path, P.S.- Alamganj, District- Patna.

... .. Appellant/s

Versus

1. The State of Bihar.
2. Anand Kumar Son of Jagat Nandan Prasad Resident of Yasoda Path, Lane No. 2, Bajrangpuri, P.S.- Alamganj, District- Patna.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Raj Krishna Jha, Advocate
For the Respondent/s : Mr.Binay Krishna, Spl. PP
For the Informant : Mr. Mithilesh Kumar Gupta, Advocate
Mr. Ramesh Gupta, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 14-11-2025 Heard learned counsel for the appellants and learned
Special P.P. for the State.

2. The appellants have preferred the present appeal under Section 14A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act (for short ‘the Act’) against the order dated 29.10.2024 passed by the learned Special Judge, SC/ST Act, Patna in A.B.P. No. 4420/2024 in connection with Alamganj P.S. Case No. 812/2024 registered under Sections 126(2), 341, 115(2), 323,, 352, 504, 351(2), 506 of BNS and Sections 3(i)(r), 3(i)(s), 3(2)(va) of SC/ST Act.

3. Present appeal is well within limitation as prescribed



under Section 14A(3) of the Act.

4. As per FIR, the informant was abused by appellants on the scuffling and issues arising out of parking of motorcycle.

5. Learned counsel appearing for the appellants submitted that the present case was lodged due to certain confusions, which now stands compromised between the parties. It is submitted that even allegation to abuse in caste name is appearing very much general and omnibus as per face of FIR. While concluding argument, it is further submitted that appellants are of clean antecedents. It is submitted that nothing can be gathered from the face of FIR, which may suggest that the occurrence took place out of atrocities as defined within the meaning of SC/ST (POA) Act, 1989.

6. Learned Spl. PP duly assisted by learned counsel Mr. Mithilesh Kumar Gupta, appearing on behalf of the informant, while opposing the prayer of bail approved the factum of compromise between the parties.

7. In view of aforesaid factual submissions and by taking note of nature of allegation, where occurrence primarily out of trivial issues in the background of general allegation *qua* abuse in caste name, coupled with the fact that the differences and issues between the parties now admittedly compromised,



accordingly, both appellants above-named in the event of their arrest or surrender before the learned trial Court, within a period of six weeks of the order, are directed to be released on bail furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Special Judge, SC/ST Act, Patna/concerned Court, where the case is pending in connection with A.B.P. No. 4420/2024 in connection with Alamganj P.S. Case No. 812/2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

8. Accordingly, impugned order dated 29.10.2024 as passed through A.B.P. No. 4420/2024 is hereby set aside.

9. Hence, appeal stands allowed.

(Chandra Shekhar Jha, J)

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