

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2747 of 2023

Arising Out of PS. Case No.-73 Year-2023 Thana- DAGARUA District- Purnia

Md. Sakil @ Md. Saklin @ Md. Saklen Son Of Mukhtar @ Md. Mukhtar
Alam Residnet Of Village- Fulpur, Ps- Dagarua, Distt- Purnia

... .. Appellant/s

Versus

1. The State of Bihar
2. Aarti Devi Wife Of Promod Rai Residnet Of Village Phulpur, Ps- Dagarua,
Distt- Purnia

... .. Respondent/s

Appearance :

For the Appellant/s	:	Md. Helal Ahmad, Advocate
For the Respondent/s	:	Ms. Usha Kumari 1, Spl. Public Prosecutor
For the R.No. 2	:	Mr. Bijendra Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

- 3 19-03-2026 Heard learned counsel for the appellant, respondent
no. 2 and the State.

2. This appeal has been filed against the order dated 27.05.2023 passed by learned Special Judge, SC/ST Act, Purnia in ABP No. 49 of 2023 arising out of Dagarua P.S. Case No. 73 of 2023 registered under Sections 341, 323, 354, 379, 504, 506/34 of the Indian Penal Code and Sections 3(1)(r)(s)(w), 3(2) (va) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, whereby the prayer for anticipatory bail of appellant has been rejected.

3. As per F.I.R., all the named accused persons assaulted informant by means of *lathi*, *danda* etc. and co-



accused Md. Akhtar abused her by caste name. This appellant is alleged to have snatched gold chain and silver anklet of the informant.

4. Learned counsel for the appellant submits that appellant is innocent and has committed no offence. Appellant is only alleged to snatched gold chain and silver anklet of the informant which is a super addition in order to make the case grave. Appellant is not alleged to have abused informant by caste name as such, no case under SC/ST Act is made out against him. Appellant claims clean antecedent.

5. Learned Spl. Public Prosecutor for the State as well as learned counsel for the respondent no. 2 vehemently opposed the bail application.

6. Considering the nature of accusation and clean antecedent, 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 learned Special Judge, SC/ST Act, Purnia in ABP No. 49 of 2023 arising out of Dagarua P.S. Case No. 73 of 2023.

7. Accordingly, this criminal appeal is allowed and impugned order dated 27.05.2023 is set aside with respect to



this appellant only.

(Prabhat Kumar Singh, J)

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