

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2834 of 2024

Arising Out of PS. Case No.-97 Year-2024 Thana- ATHMALGOLA District- Patna

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1. Ritesh Kumar @ Azad Son Of Manoj Singh Resident Of Village - Bahadurpur, P.S. - Athamalgola, District - Patna
 2. Rishu Kumar Son Of Manoj Singh Resident Of Village - Bahadurpur, P.S. - Athamalgola, District - Patna
 3. Sarbjit Kumar @ Gaurav Son Of Sudarshan Singh Resident Of Village - Bahadurpur, P.S. - Athamalgola, District - Patna
 4. Ajeet Kumar @ Saurav @ Saurav Kumar Son Of Sudarshan Singh Resident Of Village - Bahadurpur, P.S. - Athamalgola, District - Patna
 5. Kundan Kumar Son Of Ram Janam Singh Resident Of Village - Bahadurpur, P.S. - Athamalgola, District - Patna

... .. Appellant/s

Versus

1. The State Of Bihar
2. Satendra Chaudhary Son Of Kedar Chaudhary Resident Of Village - Bahadurpur, P.S. - Athamalgola, District - Patna

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Lal Babu Singh, Advocate
For the Respondent/s	:	Mr. Sadanand Paswan, Spl. Public Prosecutor
		Mr. Harsh Kr. Singh, Mr. Subhash Kumar, Adv

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 15-01-2026 Heard learned counsel for the appellants, respondent no. 2 and the State.

2. This appeal has been filed against the order dated 14.05.2024 passed by learned Special Judge, SC/ST cum Additional Sessions Judge-V, Patna in ABP No. 1543 of 2024 arising out of Athamalgola P.S. Case No. 97 of 2024 registered under Sections 341, 323, 307, 504, 506 of the Indian Penal Code and Section 3(1)(r)(s) of Scheduled Castes and Scheduled Tribes



(Prevention of Atrocities) Act, whereby the prayer for anticipatory bail of appellants has been rejected.

3. As per F.I.R., on 25.03.2024 at about 7:30 AM, these appellants came to the shop of informant and asked for the chicken on credit. Upon refusal, these appellants abused informant by caste name, assaulted him by means of iron rod and took away Rs. 30,000/- from the cash box.

4. Learned counsel for the appellants submits that both parties are co-villagers and as a matter of fact, informant had taken some friendly loan and when appellants demanded their money back, this false and concocted case has been lodged with a view to avoid repayment of the same. Allegation of assault is general and omnibus. It is not the case of informant that alleged incident occurred within public view and as such, no case under SC/ST Act is made out against the appellants. Moreover, both parties have entered into compromise on 01.04.2024 *vide* Annexure-2.

5. Learned counsel for the respondent no. 2 does not dispute the contention made on behalf of the appellants regarding the compromise.

6. Considering the fact that matter has been compromised between the parties, let the appellants, as named



above, in the event of their arrest/surrender within a period of eight weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, SC/ST cum Additional Sessions Judge-V, Patna in Athamalgola P.S. Case No. 97 of 2024.

7. Accordingly, this criminal appeal is allowed and impugned order dated 14.05.2024 is set aside with respect to these appellants only.

(Prabhat Kumar Singh, J)

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