

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.908 of 2018

Arising Out of PS. Case No.-7 Year-2015 Thana- SC/ST District- Rohtas

Surendra Singh, Son of -Late Bidhyachal Singh, Resident of Village-Kund,
P.S.-Dinara, (Manas), District-Rohtas.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Binod Kumar Singh
For the Respondent/s : Mr. Binay Krishna

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 24-07-2018

Heard learned counsel for the parties.

This is an appeal under Section 14 (A) (2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for anticipatory bail vide order dated 22.12.2017 passed by the learned 1st Additional Sessions Judge, Rohtas at Sasaram, in A.B.P. No.1064 of 2017, arising out of SC/ST Dehri Police Station Case No.07 of 2015 registered under Sections 323, 341, 354, 427, 379, 504, 506/34 of the Indian Penal Code and Section 3(i)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

The main allegation is against co-accused, *Dhanji Singh* to have abused the informant by taking caste name for the



reason that the informant was constructing a house under *Indira Awas Scheme*.

Submission of the learned counsel for the appellant is that the F.I.R. would itself reveal that since the matter was to be settled by the *Panchayat*, delayed information to the Police was given. Allegation against the appellant is that he had also entered into the house of the informant at the time of occurrence. In fact for dispute relating to *Raasta* the false allegation has been alleged.

Considering the facts aforesaid and especially the fact that no allegation under the provision of S.C./S.T. Act is against the appellant, let the appellant, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending in connection with the aforesaid case, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the appellant shall fully co-operate with the investigation/trial of the case, failing which the



court below shall be at liberty to cancel the bail bond of the appellant.

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

(Birendra Kumar, J)

abhishek/-

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