

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.524 of 2019

Arising Out of PS. Case No.-539 Year-2018 Thana- NAUBATPUR District- Patna

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1. Rang Nath Sharma, Son of Late Ram Kinkar Singh
 2. Saurav Kumar Son of Sukhdeo Sharm
 3. Gaurav Kumar Son of Sukhdeo Sharma
 4. Ved Prakash @ Ved Prakash Singh Son of Rangnath Sharma
 5. Ashutosh Ranjan @ Tuntun Singh Son of Rangnath Sharma
- All are Resident of Village-Sarasat, P.S.- Naubatpur, District- Patna.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Shashank Shekhar
For the Respondent/s : Mr.Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 13-02-2019

This is an appeal under Section 14A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer of anticipatory bail dated 13.12.2018 passed by the learned 4th Addl. Sessions Judge-cum-Special Judge, SC/ST(POA) Act, Patna in ABP No. 9002 of 2018 arising out of Naubatpur P.S.Case No. 539 of 2018 registered under Sections 147,323, 341, 354,448, 379 and 504 of the Indian penal Code and Sections 3(i)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Allegation against the appellant no. 1, Rang Nath



Sharma, is that he thrashed the she-goat and abused her by caste name. Thereafter appellant no. 1 along with other accused persons including other appellants came variously armed and abused the informant. Thereafter on the order of appellant no. 1, Rang Nath Sharma, appellant nos. 4 and 5 tried to outrage the modesty of the informant.

Submission of learned counsel for the appellants is that as a matter of fact some dispute arise with respect to grazing of she-goat in the field of Rang Nath Sharma, appellant no. 1, and due to that they have been falsely implicated in this case making ornamental allegation of abusing by caste name and also outraging the modesty.

Heard learned Spl. P.P also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the appellants, in the event of arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, be released on bail upon furnishing bail bond of Rs. 25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of the learned 4th Addl. Sessions Judge-cum-Special Judge, SC/ST(POA) Act, Patna in ABP No. 9002 of 2018 arising out of Naubatpur



P.S.Case No. 539 of 2018; subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

Accordingly, the appeal is allowed and the impugned order is set aside with respect to them.

(Vinod Kumar Sinha, J)

sujit/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

