

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.528 of 2019

Arising Out of PS. Case No.-180 Year-2018 Thana- HASANPUR District- Samastipur

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1. Niranjana Kumar Singh @ Niranjana Singh,
 2. Ranjana Kumar Singh @ Ranjana Singh
Both sons of Pramod Kumar Singh
 3. Kundan Kumar Singh @ Kari Singh, son of Jawahar Singh
 4. Gopi Raman Singh
 5. Kartik Kumar Singh @ Kartik Singh
 6. Bambam Singh @ Bambam Kumar Singh @ Vinay Singh
All three sons of Late Tapeswar Singh
- All appellants are residents of village/Mohalla-Atapur, Nakuni, P.S-Hasanpur,
District- Samastipur, Bihar.

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Manish Kumar No2
For the Respondent/s : Mr.Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 14-02-2019

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 19.11.2018 passed by the learned Addl. Sessions Judge-1st , Samastipur in ABP No. 2470 of 2018 arising out of Hasanpur P.S.Case No. 180 of 2018 registered under Sections 143, 323, 341, 379, 427, 504 and 506 of the Indian penal Code and Sections 3(i)(r)(s)(w) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Allegation against the appellants is that they entered



inside Gram Sabha and after the meeting of Gram Sabha assaulted the informant and there is allegation against appellant no. 2 Ranjan Kumar Singh that he snatched Rs. 10,000/- from him and abused him by caste name.

Submission of learned counsel for the appellants is that appellant no. 2 Ranjan Kumar Singh was a polling agent of the rival candidates and raised grievance against the informant for corrupt practices as such the present false case has been lodged.

Heard learned Spl. P.P also.

Having heard both sides and in view of the facts and circumstances, as stated above, so far appellant no. 2 is concerned, I am not inclined to grant privilege of anticipatory bail to him rather he should surrender within a period of six weeks from the date of receipt of a copy of this order and make prayer for regular bail, which shall be considered and disposed of on its own merit without being prejudiced by this order.

So far rest of the appellants i.e., appellant nos. 1, 3, 4, 5, and 6 are concerned, 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 Special Judge, SC/ST Act, Samastipur in ABP No. 2470 of 2018 arising out of Hasanpur P.S.Case No. 180 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 appellant nos. 1, 3, 4, 5, and 6.

(Vinod Kumar Sinha, J)

sujit/-

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