

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.984 of 2019**

Arising Out of PS. Case No.-218 Year-2016 Thana- MANJHI District- Saran

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1. Surendra Singh @ Surendra Kumar Singh, son of Late Ramnaresh Singh.
 2. Shaiendra Singh @ Shailendra Singh @ Shailendra Kumar Singh, son of Late Ramnaresh Singh.

Both residents of village Tajpur, P.S. Manjhi, District Saran.

... .. Appellants.

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Rajesh Roy

For the Respondent/s : Mr. Sadanand Paswan

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

4 24-06-2019 Heard learned counsel for the appellants and learned
Special Public Prosecutor for the State.

This is an appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act against the refusal of prayer for anticipatory bail vide order dated 22.01.2019 passed by learned 1st Addl. Sessions Judge, Saran in Manjhi P.S. Case No.218 of 2016 registered under Sections 341, 323 & 504/34 of the Indian Penal Code and Section 3(i) (x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Appellants are said to have slated the informant and assaulted him by means of leg and fists over lodging case against the informant.



It is submitted by learned counsel for the appellants that no such occurrence as alleged ever took place. Appellants have been falsely implicated in the case. The allegations levelled against the appellants are not specific rather general and omnibus in nature. As a matter of fact, appellant no.1-Surendra Singh @ Surendra Kumar Singh had contested the election of Mukhiya and defeated one Vijay Singh in the election and the said Vijay Singh has got the aforesaid case lodged against the appellants by setting the informant to harass the appellants. There is no allegation of slating the informant in the name of his caste knowing him to be the person of scheduled caste community. Informant has not sustained any injury.

Learned Spl. PP for the State opposed the prayer for bail.

In the facts and circumstances of the case, the above named appellants are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned 1st Addl. Sessions Judge, Saran at Chapra in connection with Manjhi P.S. Case No.218 of 2016, subject to the condition as laid down under Section 438 (2) of



the Cr.P.C.

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

(Prakash Chandra Jaiswal, J)

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