

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1293 of 2019

Arising Out of PS. Case No.-117 Year-2017 Thana- TARIYANI CHOWK District- Sheohar

Ram Subhag Singh Son of Late Sita Ram Singh, Resident of Village-
Chhtouni, P.S-Tariyani and District-Sheohar.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Mritunjay Kumar Singh

For the Respondent/s : Mr. Binay Krishna

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

ORAL ORDER

4 25-06-2019 Heard learned counsel for the appellant and
learned Spl. PP 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 of anticipatory bail
vide order dated 18.02.2019 passed by learned 1st Addl. District
& Sessions Judge-cum-Special Judge, Sheohar in Tariyani P.S.
Case No. 117 of 2017 registered under Sections 341, 323, 307,
379, 504/34 of the Indian Penal Code and Section 3(i)(r)(s) of
the Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act.

Over making complain regarding rigging in the
election of the Secretary of the School, all the accused persons



including the appellant slated the informant in the name of his caste and Munna Singh assaulted on his head by means of rod. Santosh Singh and Gaurav Singh wrapping rope on his neck, pulled it and Gaurav Singh assaulted him by means of butt of the pistol. All the accused persons assaulted the informant by means of leg and fist.

It is submitted by learned counsel for the appellant that the appellant has no concern with the aforesaid occurrence. Appellant has been falsely implicated in this case due to dirty village politics. Allegation levelled against the appellant is not specific rather general and omnibus in nature. After investigation of the case, police found the case untrue and submitted final form against the appellant. Appellant happens to be teacher in the school and old age person. There is no allegation of assault levelled against the appellant. Appellant has no criminal antecedent.

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

In the facts and circumstances of the case, let the above named appellant be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.



10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned 1st Addl. District & Sessions Judge-cum-Special Judge, Sheohar in connection with Tariyani P.S. Case No. 117 of 2017, 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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