

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1512 of 2019

Arising Out of PS. Case No.-304 Year-2018 Thana- RAJPUR District- Buxar

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1. SONU KUMAR SINGH Son of Kameshwar Yadav R/o Village- Trilochanpur, P.S.- Rajpur, Distt.- Buxar
 2. Sheru Kumar Singh @ Sheru Singh Son of Kameshwar Yadav R/o Village- Trilochanpur, P.S.- Rajpur, Distt.- Buxar.
 3. Santosh Kumar Singh @ Santosh Singh Son of Kameshwar Yadav R/o Village- Trilochanpur, P.S.- Rajpur, Distt.- Buxar
 4. Deepak Singh @ Deepak Kumar Singh Son of Kameshwar Yadav R/o Village- Trilochanpur, P.S.- Rajpur, Distt.- Buxar.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Rewti Kant Raman
For the Respondent/s : Mr.Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

3 27-06-2019 Heard learned counsel for the appellants and learned
Spl. PP for the State.

This is an appeal under Section 14(A)(2) of the SC/ST Act against the refusal of prayer for anticipatory bail vide order dated 07.01.2019 passed by learned 1st Addl. Sessions Judge cum Special Judge (SC/ST Act), Buxar in Rajpur P.S. Case No. 304 of 2018 registered under Sections 353 and 504/34 of the Indian Penal Code, Section 37 (C) of the Bihar Excise Act and Sections 3(i)(r)(s) of the SC/ST Act.

When the informant along with police personnel



arrived at the place of occurrence on getting information about burying of a dead body in the land, Kameshwar Yadav arrived there in inebriated condition and slated him in the name of his caste and caused hindrance in discharging official duty. Appellants who happen to be sons of Kameshwar Yadav also assisted him in the aforesaid misdeed.

It is submitted by learned counsel for the appellants that the appellants have no concern with the aforesaid occurrence. They have been falsely implicated in the case due to dirty village politics. There is no allegation of slating the informant in the name of his caste against the appellants. No overt act has been attributed to the appellants, hence no offence under SC/ST Act is made out against the appellants. They have no criminal antecedent.

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

Having regard to the facts and circumstances of the case, let the above named appellants, be released on bail, in the event of their 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) each with two sureties of the like amount each to the satisfaction of the learned 1st Addl. Sessions



Judge cum Special Judge (SC/ST Act), Buxar in Rajpur P.S.
Case No. 304 of 2018, 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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