

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL APPEAL (SJ) No.1587 of 2019**

Arising Out of PS. Case No.-375 Year-2018 Thana- MOTIHARI MUFASIL District- East  
Champaran

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JHUNU SINGH Son of Late Ram Ayodhya Singh Resident of Village-  
Basatpur, P.S.- Motihari Mufasil, District- East Champaran

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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**Appearance :**

For the Appellant/s : Mr.Pramod Kumar Pandey  
For the Respondent/s : Mr.Binay Krishna

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

ORAL ORDER

4      28-06-2019                      Heard learned counsel for the appellant and learned  
Spl. PP for the State.

This is an appeal under Section 14(A)(2) of the SC/ST  
Act against the refusal of prayer for anticipatory bail vide order  
dated 20.11.2018 passed by learned 1<sup>st</sup> Addl. Sessions Judge  
cum Special Judge, SC/ST Act, East Champaran, Motihari in  
Motihari Mufasil P.S. Case No. 357 of 2018 registered under  
Sections 147, 148, 149, 323, 324, 307, 354, 504 and 506 of the  
Indian Penal Code, Section 3(i)(d)(r)(s) of the SC/ST Act.

Appellant along with 12 other accused persons are  
said to have slated the informant, his wife and son and also  
assaulted them.

It is submitted by learned counsel for the appellant



that no such occurrence as alleged ever took place. Appellant has been falsely implicated in the case due to dirty village politics. There is no allegation of assault against the appellant. Allegation of slating the informant levelled against the appellant is not specific rather general and omnibus in nature. Moreover, informant has not stated in specific the caste name by which appellant is said to have slated him, hence no offence under SC/ST Act is made out against the appellant. Appellant has no criminal antecedent. Similarly situated co-accused namely Lakhindra Sah and others have been enlarged on anticipatory bail by a co-ordinate Bench of this Court vide order dated 27.02.2019 passed in Cr. Appeal (SJ) No. 347 of 2019.

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 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) each with two sureties of the like amount each to the satisfaction of the learned 1<sup>st</sup> Addl. Sessions Judge cum Special Judge, SC/ST Act, East Champaran, Motihari in Motihari Mufasil P.S. Case No. 357 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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