

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1594 of 2019

Arising Out of PS. Case No.-18 Year-2019 Thana- MAGADH UNIVERSITY District- Gaya

1. Lalit Prasad Son of Late Gowardhan Mahto Resident of Village-Chhotki Babhani, (Mocharim) P.S-Magadh University, District-Gaya Pin code-824231 (Bihar).
2. Rahul Kumar Son of Lalit Prasad Resident of Village-Chhotki Babhani, (Mocharim) P.S-Magadh University, District-Gaya Pin code-824231 (Bihar).

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Subodh Kumar
For the Respondent/s	:	Mr. Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

3 28-06-2019 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 25.03.2019 passed by learned Exclusive Special Judge SC/ST Act, Gaya in Magadh University P.S. Case No. 18 of 2019 registered under Sections 341, 379, 354, 504 and 506/34 of the Indian Penal Code and Section 3(1)(r)(w) of the SC/ST Act.

Over row of cooking food outside the house by the wife of the informant, Sunil Kumar slated her in the name of her caste and also catching hold her hair assaulted her. Lalit Prasad



pulled her saree while Rahul Kumar assaulted his father by means of leg and fist.

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 merely because they had objected the informant on vending liquor by him. There is no allegation of slating the informant and his family members in the name of their caste against the appellants and the victims have not sustained any injury. Hence no offence under SC/ST Act is made out against the appellants. Appellants 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 Exclusive Special Judge SC/ST Act, Gaya in Magadh University P.S. Case No. 18 of 2019, 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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