

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1650 of 2019**

Arising Out of PS. Case No.-79 Year-2018 Thana- SC/ST District- Rohtas

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ROHIT SINGH @ ROHIT KUMAR @ ROHIT KUMAR SINGH Son of
Udari Singh Resident of Village - Sheopur, P.S.- Bikramganj, Distt - Rohtas.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Dhaneshwar Prasad Gupta
For the Respondent/s : Mr.Usha Kumari 1

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

ORAL ORDER

3 04-07-2019 Heard learned counsel for the appellant 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, 1989 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for anticipatory bail vide order dated 29.03.2019 passed by learned 1st Additional Sessions Judge-cum-Special Judge, SC/ST (POA) Act, Rohtas at Sasaram in connection with SC/ST (Dehri) P.S. Case No. 79 of 2018, registered under Sections 341, 323, 325, 504, 506 of the Indian Penal Code and also under Section 3 (I) (r) (s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.



Appellant along with two other co-accused are said to have intruded into the house of the informant. Co-accused Benga Singh assaulted his son by means of Danda inflicting injury in his eye, appellant slated them in the name of their caste and extended threatening of dire consequences.

It is submitted by the learned counsel for the appellant that no such occurrence as alleged ever took place. He has no concern with the aforesaid occurrence. He has been falsely implicated in this case as co-accused Benga Singh has lodged complaint case against the informant and his son. There is no allegation of assaulting the son of the informant against the appellant and allegation of slating the son of informant in the name of his caste is not specific rather general and omnibus in nature. He has no criminal antecedent. Similarly, situated co-accused Benga Singh and Raj Kumar Sah have been enlarged on bail by co-ordinate Bench of this Court passed in Cr. Appeal (SJ) No.515 of 2019 vide order dated 05.03.2019.

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

In the facts and circumstances of the case, the above named appellant is directed to be enlarged on bail in the event of his arrest or surrender before the learned Court below within a



period of four weeks from today 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 Additional Sessions Judge-cum-Special Judge, SC/ST Act, Rohtas at Sasaram in connection with Dehri SC/ST P.S. Case No. 79 of 2018, subject to 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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