

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1819 of 2019**

Arising Out of PS. Case No.-26 Year-2017 Thana- SC/ST District- Munger

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RAUSHAN THAKUR Son of Shyam Thakur Resident of Village- Ardash,
P.S.- Asharganj, District- Munger.

... .. Appellant/s

Versus

THE STATE OF BIHAR.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Anurag Saurav
For the Respondent/s : Mr.Binay Krishna

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

ORAL ORDER

3 08-07-2019 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 25.01.2019 passed by learned 1st Additional Sessions Judge, Munger in connection with Munger SC/ST P.S. Case No. 26 of 2017, registered under Sections 147, 149, 341, 323, 354, 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 five other named accused



persons are said to have slated the informant, his wife and son in the name of their caste and also assaulted them by means of lathi for giving evidence against the informant in the case lodged by him.

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. Earlier to the case under hand mother of the appellant has lodged Asarganj P.S. Case No. 113 of 2014 against the informant and others and to save his skin from said case informant has lodged this false and frivolous case against the appellant malafidely. Moreover, allegation of slating the informant against the appellant is not specific rather general and omnibus in nature. Similarly, situated several co-accused persons have been enlarged on bail by co-ordinate Bench of this Court passed in Criminal Appeal (SJ) No. 4126 of 2018 vide order dated 18.12.2018. He has no criminal antecedent.

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) with two sureties of the like amount each to the satisfaction of the learned 1st Additional Sessions Judge, Munger in connection with Munger SC/ST P.S. Case No. 26 of 2017, 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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