

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2008 of 2019**

Arising Out of PS. Case No.-1 Year-2019 Thana- SC/ST District- Sheohar

AJAY RAI Son of Yogendra Rai Resident of Village- Inarwa @ Indarwa
Khurd, P.S.- Piprahi, District- Sheohar

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Ranjeet Kumar Mishra

For the Respondent/s : Mr.Usha Kumari 1

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

ORAL ORDER

3 09-07-2019 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 16.04.2019 passed by learned 1st Addl. Sessions Judge cum Special Judge, SC/ST Act, Sheohar in Sheohar SC/ST P.S. Case No. 01 of 2019 registered under Sections 323, 341 and 504 of the Indian Penal Code and Sections 3(i)(r), 3(i)(s) and 3(2) (va) of the SC/ST Act.

Appellant and one Sone Lal Rai were unloading sand



in front of the house of the informant. On protest made by her, Sone Lal Rai slated her in the name of her caste while the appellant assaulted on her face by means of fist inflicting injury on her eye.

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. The land in question is not of the informant rather government land. Appellant was unloading sand on the government land. There is no allegation of slating the informant in the name of her caste against the appellant and informant has not sustained any injury in the occurrence. Appellant has 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 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) with two sureties of the like amount each to the satisfaction of the learned 1st Addl. Sessions Judge cum Special Judge, SC/ST Act, Sheohar in connection with Sheohar SC/ST P.S. Case No. 01 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)

mantreshwar/-

U		T	
---	--	---	--

