

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1977 of 2019**

Arising Out of PS. Case No.-86 Year-2019 Thana- AMAS District- Gaya

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1. SURESH SINGH Son of Late Hari Singh Resident of village- Bajitpur, P.S.- Amas, District- Gaya.
 2. Ranjit Kr. Singh @ Ranjit Kumar Singh @ Ranjit Singh Son of Suresh Singh Resident of village- Bajitpur, P.S.- Amas, District- Gaya.
 3. Rama Shankar Singh @ Ram Shankar Singh Son of Late Hari Singh Resident of village- Bajitpur, P.S.- Amas, District- Gaya.
 4. Pinku Singh @ Pinku Kumar son of Rama Shankar Singh @ Ram Shankar Singh Resident of village- Bajitpur, P.S.- Amas, District- Gaya.
 5. Chanda Singh Son of Rama Shankar Singh @ Ram Shankar Singh Resident of village- Bajitpur, P.S.- Amas, District- Gaya.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

3 09-07-2019 Learned counsel for the appellants seeks permission to withdraw the present appeal on behalf of the appellant No.1 Suresh Singh, appellant No.4 Pinku Singh @ Pinku Kumar and appellant No. 5 Chanda Singh submitting that the aforesaid appellants have been arrested during the pendency of this case.

Permission is granted.

Accordingly, the present appeal arising out of Amas P.S. Case No. 86 of 2019 is hereby dismissed as withdrawn against the aforesaid appellants.



Heard learned counsel for the appellants appearing on behalf of the appellant No. 2 Ranjit Kr. Singh @ Ranjit Kumar Singh @ Ranjit Singh and appellant No. 3 Rama Shankar Singh @ Ram Shankar Singh and learned Spl. P.P. 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 24.04.2019 passed by learned Exclusive Special Judge, (SC/ST) Act, Gaya in connection with Amas P.S. Case No. 86 of 2019, registered under Sections 436, 504, 506 and 427 of the Indian Penal Code and also under Section 3 (2) (ra) 3 (i) (r) (s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Appellants along with three named accused persons are said to have set ablaze the hut of the informant resultantly her cattle and other household articles were burnt. They also slated the informant in the name of her caste in the night of date of occurrence.

It is submitted by the learned counsel for the appellants that no such occurrence as alleged ever took place. They have been no concern with the aforesaid occurrence. They



have been falsely implicated in this case due to grudge as the informant used to plug the vegetables cultivated by the appellants on their land and on making complaint the informant has lodged this false and frivolous case against the appellants. Moreover, allegation of slating the informant levelled against the appellants is not specific rather general and omnibus in nature. The aforesaid occurrence is said to have taken place in the village in night at 11.00 P.M. and no one was present at the place of occurrence at that time so it cannot be said to have been made in the public view. I.O. has not found any burnt article at the P.O. They have 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 appellants Ranjit Kr. Singh @ Ranjit Kumar Singh @ Ranjit Singh and Rama Shankar Singh @ Ram Shankar Singh are directed to be enlarged on bail 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 Exclusive Special Judge, SC/ST, Gaya in connection with Amas P.S. Case No. 86 of 2019, subject to condition as laid down under Section 438 (2) of the Cr.P.C.



Accordingly, the present appeal is disposed of.

(Prakash Chandra Jaiswal, J)

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