

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2158 of 2019

Arising Out of PS. Case No.-12 Year-2019 Thana- SC/ST District- Nawada

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1. Sanjay Kumar @ Sanjay Singh Son of Late Ram Anugrah Singh Resident of Village - Postmortum Road, Mirjapur, P.S.- Nawada, District- Nawada
 2. Chandan Singh Son of Sanjay Singh Resident of Village - Postmortum Road, Mirjapur, P.S.- Nawada, District- Nawada
 3. Mangal Singh Son of Sanjay Singh Resident of Village - Postmortum Road, Mirjapur, P.S.- Nawada, District- Nawada
 4. Rani Devi Wife of Late Ajit Singh Resident of Village - Postmortum Road, Mirjapur, P.S.- Nawada, District- Nawada

... .. Appellants.

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Pramod Kumar Verma

For the Respondent/s : Mrs. Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

3 11-07-2019 Heard learned counsel for the appellants 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 in short referred to as the 'SC/ST Act') against the refusal of prayer of anticipatory bail vide order dated 23.04.2019 passed by learned 1st Additional Sessions Judge, Nawada in connection with SC/ST (Nawada) P.S. Case No. 12 of 2019 registered under Sections 341, 323, 504, 506 & 354-B/34 of the Indian Penal Code and Section 3(1)



(r) (s) (w) (i) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Appellant Rani Devi and appellant Sanjay Singh are said to have slapped the informant and her Gotani in the name of their caste. Appellant Sanjay Singh pressed her neck and shoved her on the ground and also misbehaved with her and when her Gotani came in her rescue he also assaulted her by means of leg.

It is submitted by learned counsel for the appellants that no such occurrence as alleged ever took place. As a matter of fact, appellant no.4 has lodged a case against the brother-in-law of the informant bearing Mahila P.S. Case No.14 of 2019 four days preceding to the occurrence and due to this the informant has filed this false and frivolous case against the appellants maliciously. The allegation of slating levelled against the appellants is not specific rather general and omnibus in nature. No one has sustained injury in the occurrence. Appellants have no criminal antecedent.

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

In the facts and circumstances of the case, the above named appellants, in the event of their arrest or surrender



before the learned Court below within a period of six weeks from today, 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 1st Additional Sessions Judge, Nawada in connection with SC/ST (Nawada) P.S. Case No. 12 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 this appeal is allowed.

(Prakash Chandra Jaiswal, J)

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