

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL APPEAL (SJ) No.2335 of 2019**

Arising Out of PS. Case No.-16 Year-2019 Thana- RISIYAP District- Aurangabad

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KALLU SINGH Son of Dilip Singh Resident of Village - Sarsi, P.S.- Risiup,  
District - Aurangabad

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

=====

**Appearance :**

For the Appellant/s : Mr. Binod Kumar Pandey  
For the Respondent/s : Mr. Sadanand Paswan

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

ORAL ORDER

3      17-07-2019                      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 in short referred to as the 'SC/ST Act') against the refusal of prayer of anticipatory bail vide order dated 29.04.2019 passed by learned 1<sup>st</sup> Additional Sessions Judge cum Special Judge (SC/ST Act), Aurangabad in connection with Rishiup P.S. Case No. 16/2019 registered under Sections 341 & 354 of the Indian Penal Code and Section 3(1) (r) (s) (w) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

While the informant was proceeding to the



Primary Health Center to discharge her duty, appellant tried to drag her by gagging her mouth but on the arrival of tempo on hulla made by her he managed to escape.

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 due to land dispute as the appellant has land in front of the house of the informant and the informant always tried to encroach the said land & on protest made by the appellant, she has filed this false and frivolous case against him to mount pressure upon him. Appellant has 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 appellant, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on bail 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 1<sup>st</sup> Additional Sessions Judge cum Special Judge (SC/ST Act), Aurangabad in connection with Rishiup P.S. Case No. 16/2019, 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)**

Trivedi/-

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