

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2344 of 2019**

Arising Out of PS. Case No.-34 Year-2019 Thana- SALIMPUR District- Patna

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SALENDRA ROY @ SHAILENDRA KUMAR Son of Bimal Roy @ Bimal Singh Resident of Village- Sahpur, P.S.- Salimpur, District- Patna.

... .. Appellant/s

Versus

THE STATE OF BIHAR.

... .. Respondent/s

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Appearance :

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

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

3 12-07-2019 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 06.05.2019 passed by learned Special Judge, SC/ST, Act, Patna in connection with Salimpur P.S. Case No. 34 of 2019, registered under Sections 341, 323, 504, 506, 34 of the Indian Penal Code and also under Section 3 (i) (R) (W) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

On refusing to work in the field of appellant,



appellant along with other co-accused persons arrived at the house of the informant and slated the informant. When her husband arrived there and made protest, appellant made attack on him by means of lathi which was intercepted by the informant and in the course she sustained injury in her hand.

It is submitted by the learned counsel for the appellant that no such occurrence as alleged ever took place. As a matter of fact, informant has taken money from the appellant and on demand of said money she has lodged this false and frivolous against the appellant to grab his money. There is no allegation of slating the informant and her husband in the name of their case against the appellant, hence no offence under SC/ST Act is made out against the appellant. 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 Special Judge,



SC/ST (POA) Act, Patna in connection with Salimpur P.S. Case
No. 34 of 2019, 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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