

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2256 of 2019

Arising Out of PS. Case No.-13 Year-2019 Thana- SC/ST District- Begusarai

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1. RAJAN SINGH Son of Late Saudagar Singh Resident of Village - Lakho, Ram Tola, P.S.- Begusarai Muffasil, Dist.- Begusarai.
 2. Babita Devi W/o Rajan Singh Resident of Village - Lakho, Ram Tola, P.S.- Begusarai Muffasil, Dist.- Begusarai.
 3. Suman Devi Wife of Late Saudagar Singh Resident of Village - Lakho, Ram Tola, P.S.- Begusarai Muffasil, Dist.- Begusarai.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Shashi Dhar Jha
For the Respondent/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

3 12-07-2019 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 referred to as the “SC/ST Act”) against the refusal of prayer for anticipatory bail vide order dated 07.05.2019 passed by learned Special Judge SC/ST (POA) Act, Begusarai in connection with Begusarai SC/ST P.S. Case No. 13 of 2019, registered under Sections 341, 323, 509/34 of the Indian Penal Code and also under Section 3 (i) (r) (s) (w) of the Scheduled Castes and Scheduled Tribes (Prevention of



Atrocities) Act.

Appellants is said to have assaulted the informant and her daughter and slated them in the name of their caste intruded into the house of the informant.

It is submitted by the learned counsel for the appellants that no such occurrence as alleged ever took place. They have been falsely implicated in this case as the informant has taken loan of Rs.24,000/- from the appellants No. 2 and 3. and on demanding the said by them the informant has lodged this false and frivolous case against the appellants to grab their money. None has sustained injury in the occurrence. Moreover, allegation of slating the informant against the appellants is not specific rather general and omnibus in nature and slating the informant in the name of their caste is said to have taken place inside the house of the informant hence no offence under SC/ST Act is made out against the appellants. 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 appellant are directed to be enlarged on bail in the event of their 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) each with two sureties of the like amount each to the satisfaction of the learned Special Judge, SC/ST (POA) Act, Begusarai in connection with Begusari SC/ST P.S. Case No. 13 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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