

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2279 of 2019**

Arising Out of PS. Case No.-49 Year-2018 Thana- HASANPUR District- Samastipur

Dhiraj Singh @ Dhiraj Kumar Singh Son of Pankaj Kumar Singh @ Pankaj
Singh Resident of Village - Hasanpur, P.S.- Hasanpur, District- Samastipur

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Anil Kumar

For the Respondent/s : Mr. Sadanand Paswan

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

ORAL ORDER

3 12-07-2019 Heard learned counsel for the appellant and learned
Spl. PP for the State.

This is an appeal under Section 14(A)(2) of the
Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act against the refusal of prayer of anticipatory bail
vide order dated 19.03.2019 passed by learned 1st Addl. Sessions
Judge cum Special Judge, Samastipur in Hasanpur P.S. Case No.
49 of 2018 registered under Sections 147, 148, 149, 323, 325,
341, 448, 504, 354 of the Indian Penal Code and Section 3(i)(x)
(r)(s)(w) of the Scheduled Castes and Scheduled Tribes
(Prevention of Atrocities) Act.

Appellant along with four other accused persons



are said to have intruded into the house of the informant slating her in the name of her caste and assaulted the informant and her husband and when their landlord, namely, Md. Naem and Nurjaha Bibi rushed in their rescue, they also assaulted them.

It is submitted by learned counsel for the appellant that the appellant has no concern with the aforesaid occurrence. He has been falsely implicated in this case. Allegation levelled against the appellant is not specific rather general and omnibus in nature. None has sustained injury in the occurrence. The appellant has compromised the matter with the informant. Slating the informant in the name of her caste is said to have been made inside the house of the informant and not in the public view, hence, no offence under SC/ST Act is made out against the appellant. Appellant has no criminal antecedent.

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

In the facts and circumstances of the case, let the above named appellant be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned 1st Addl. Sessions Judge cum



Special Judge, Samastipur in connection with Hasanpur P.S.
Case No. 49 of 2018, subject to the 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)

rohit/-

U		T	
---	--	---	--

