

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2255 of 2019**

Arising Out of PS. Case No.-27 Year-2018 Thana- SC/ST District- Sheikhpura

VIJENDRA BIND S/o Ramchandra Bind R/o village- Bishahiya, Sanaiya,
P.S.- Ariari, District- Sheikhpura.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Pramod Kumar Sinha
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 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 14.03.2019 passed by learned 1st Additional Sessions Judge Sheikhpura in connection with SC/ST, P.S. Case No. 27 of 2018, registered under Sections 147, 341, 323, 504 and 506 of the Indian Penal Code and also under Section 3 (i) (r) (s)/ 3 (2) (va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

During course of witnessing circus in the village 13



accused persons including the appellant are said to have descended there armed with Lathi, Danda and Rod and slating the informant and villagers in the name of his caste assaulted them.

It is submitted by the learned counsel for the appellant that no such occurrence as alleged ever took place. He has been falsely implicated in this case due to dirty village politics and animosity. There is inordinate delay of 10 days in lodging the F.I.R. without assigning any plausible explanation for the aforesaid delay. The allegation levelled against the appellant is not specific rather general and omnibus in nature. Appellant has not been specifically indicted about slating the informant and villagers in the name of their caste. He has no criminal antecedent. Similarly situated several other co-accused have been enlarged on bail by this Court passed in Criminal Appeal (SJ) No. 1383 of 2019 vide order dated 27.6.2019.

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 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



1st Additional District & Sessions Judge, Sheikhpura, in connection with Sheikhpura SC/ST P.S. Case No. 27 of 2018, 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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