

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2470 of 2019

Arising Out of PS. Case No.-17 Year-2019 Thana- BELCHHI District- Patna

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PAPPU YADAV @ PAPPU KUMAR S/o Viru Yadav Resident of Village -
Dariyapur, P.S.- Belchhi, Dist.- Patna.

... .. Appellant/s

Versus

THE STATE OF BIHAR.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Nirbhay Kumar Singh
For the Respondent/s : Mr.Sadanand Paswan

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

ORAL ORDER

3 29-07-2019 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 24.03.2019 passed by learned 8th Additional
Sessions Judge-cum- Special Judge, SC/ST Act in connection
with Belchhi P.S. Case No. 17 of 2019, registered under
Sections 341, 323, 504/34 of the Indian Penal Code and also
under Section 3 (i) (r) (s) of the Scheduled Castes and
Scheduled Tribes (Prevention of Atrocities) Act.

Over row of kidnapping the sister of co-accused



Bablu Yadav by the friend of the informant, said Bablu Yadav and appellant Pappu Yadav slated the informant in the name of his caste and also assaulted him by means of lathi and iron rod while he was cleaning the vehicle on the road.

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 previous animosity. Allegation levelled against the appellant is not specific rather general and omnibus in nature. Informant has not sustained injury in the occurrence. There is no allegation of slating the informant in the specific name of his caste 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 8th Additional Sessions Judge-cum-Special Judge, SC/ST (POA) Act, Patna in connection with Belchhi P.S. Case No. 17 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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