

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2519 of 2019

Arising Out of PS. Case No.-530 Year-2018 Thana- BARH District- Patna

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MAHESH KEVAT Son of Sri Dhramveer Kewat Resident of Mohalla-
Nayatola Dayachak, Barh, P.S.- Barh, Distt- Patna

... .. Appellant/s

Versus

1. The State of Bihar
2. Ayush Kumar S/o - Rabinder Paswan Resident of Village- Masoma, P.S.-
Bhdour, District- Patna

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Rama Kant Singh
For the Respondent/s : Mr.Usha Kumari 1

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

ORAL ORDER

3 19-07-2019 Heard learned counsel for the appellant and learned
Spl. PP for the State.

This is an appeal under Section 14(A)(2) of the SC/ST
Act against the refusal of prayer for anticipatory bail vide order
dated 13.05.2019 passed by learned Special Judge, SC/ST Act,
Patna in Barh P.S. Case No. 530 of 2018 registered under
Sections 341, 323 and 504/34 of the Indian Penal Code and
Section 3(i)(r)(s) / 2(v-9) of the SC/ST Act.



Appellant and two other accused persons are said to have slated the informant addressing him as 'Paswan' and also assaulted him by means of rod inflicting injury to him.

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 the case by the informant due to ulterior motive. The allegation of slating and assaulting the informant levelled against the appellant is not specific rather general and omnibus in nature. Accused persons including the appellant are said to have addressed the informant in the name of his title 'Paswan' which is not an offensive word. 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.

Having regard to 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 the learned A.D.J.-VIII cum Special Judge, SC/ST Act, Patna in connection with Barh P.S.



Case No. 530 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)

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