

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2571 of 2019**

Arising Out of PS. Case No.-26 Year-2019 Thana- SC/ST District- Rohtas

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1. Dilip Kumar Singh @ Dilip Singh Son of Raghupati Singh Resident of Village- Makarain, Dalmiya Nagar, P.S.- Dehri, District- Rohtas.
 2. Jacky Singh @ Anand @ Praksh Anand Son of Subodh Singh Resident of Village- Makarain, Dalmiya Nagar, P.S.- Dehri, District- Rohtas.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Surendra Kumar Mishra
For the Respondent/s : Mr. Sadanand Paswan

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

ORAL ORDER

2 02-07-2019 Heard learned counsel for the appellants 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 16.05.2019 passed by learned 1st Addl. District & Sessions Judge Sasaram, Rohtas in Dehri SC/ST P.S. Case No. 26 of 2019 registered under Sections 147, 148, 149, 341, 323, 307, 354, 379, 427, 506, 504 of the Indian Penal Code and Section 3(i)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

27 named and 10-15 unknown miscreants are said



to have descended at the door of the informant and pushed the same slating her in the name of her caste. Accused Awanish Singh and Tuntun @ Sanjay Mahto are said to have assaulted on the head of brother-in-law of the informant by means of hockey stick and knife, respectively, inflicting head injury to him. Accused persons are also said to have snatched golden chain of the informant and her other family members.

It is submitted by learned counsel for the appellants that no such occurrence as alleged ever took place. Appellants has been falsely implicated in this case due to animosity. There is case and counter case between the parties. There were around 42 persons at the place of occurrence, but the informant has not specifically stated as to who slated her in the name of her caste. Appellants have no criminal antecedent. Co-accused Awanish Singh @ Awanish Anand has been enlarged on anticipatory bail by this Court vide order dated 28.06.2019 passed in Cr. Appeal (SJ) No. 2509 of 2019.

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

In the facts and circumstances of the case, let the above named appellants be released on bail, in the event of their 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) each with two sureties of the like amount each to the satisfaction of learned 1st Addl. District & Sessions Judge Sasaram, Rohtas in connection with Dehri SC/ST P.S. Case No. 26 of 2019, 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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