

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL APPEAL (SJ) No.2625 of 2019**

Arising Out of PS. Case No.-164 Year-2019 Thana- BHABHUA District- Kaimur (Bhabua)

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1. Binod Bind Son of Lallu Bind Resident of Village- Sakhawa, P.S- Sonhan, District- Kaimur at Bhabua.
2. Shankar Bind Son of Late Laku Bind Resident of Village-Sakhawa, P.S-Sonhan, District-Kaimur at Bhabua.
3. Ramashish Bind Son of Late Laku Bind Resident of Village-Sakhawa, P.S-Sonhan, District-Kaimur at Bhabua.
4. Lallu Bind Son of Late Laku Bind Resident of Village-Sakhawa, P.S-Sonhan, District-Kaimur at Bhabua.
5. Chhathu Bind Son of Late Laku Bind Resident of Village-Sakhawa, P.S-Sonhan, District-Kaimur at Bhabua.
6. Govind Bind Son of Lallu Bind Resident of Village-Sakhawa, P.S-Sonhan, District-Kaimur at Bhabua.
7. Anil Bind Son of Shankar Bind Resident of Village-Sakhawa, P.S-Sonhan, District-Kaimur at Bhabua.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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**Appearance :**

For the Appellant/s : Mr. Tribhuwan Narayan  
For the Respondent/s : Mr. Sadanand Paswan

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**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 10.06.2019 passed by learned 1<sup>st</sup> Addl.  
Sessions Judge Kaimur at Bhabua in Bhabua (Sonhan) P.S. Case



No. 164 of 2019 registered under Sections 279, 337, 338, 504, of the Indian Penal Code and Section 3(i)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

On dashing the brother of the informant by pick-up van by the appellant Binod Bind, the informant along with other arrived his house to make complain with his father, then all the appellants slated them in the name of their caste and asked them to leave the house and they also hurled brick-bat upon them.

It is submitted by learned counsel for the appellants that no such occurrence as alleged ever took place. Appellants have been falsely implicated in this case. Allegation of slating the informant and others in the name of their caste is said to have been made by the appellants in their house, hence, no offence under SC/ST Act is made out against the appellants. Aforesaid allegation levelled against the appellants is not specific rather general and omnibus in nature. There is two days delay in lodging the FIR. Appellants have no criminal antecedent barring one other case which has been lodged by the police regarding the same occurrence.

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 1<sup>st</sup> Addl. Sessions Judge Kaimur at Bhabua in connection with Bhabua (Sonhan) P.S. Case No. 164 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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