

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3046 of 2019**

Arising Out of PS. Case No.-34 Year-2018 Thana- SC/ST District- East Champaran

RAMAKANT SINGH Son of Ram Krishna Singh Resident of Village -
Ghogharahan, P.S.- Harsiddhi, District- East Champaran

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Anshu Dhar Sharma

For the Respondent/s : Mr.Sadanand Paswan

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

ORAL ORDER

4 27-09-2019 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 18.06.2019 passed by learned 1st Addl. Sessions Judge cum Special Judge, SC/ST Act, East Champaran, Motihari in SC/ST Motihari P.S. Case No. 34 of 2018 registered under Sections 341, 323, 342 and 504/34 of the Indian Penal Code and Section 3(i)(a)(r)(s) of the SC/ST Act.

While the informant was proceeding to his in-laws



house, five named accused persons including the appellant intercepted him and slated him in the name of his caste, tore his attire and pressed his neck by means of leg.

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 due to dirty village politics. The allegation levelled against the appellant is not specific rather general and omnibus in nature. Informant has not sustained any injury in the occurrence. After investigation of the case, I.O. has submitted final form finding the case untrue against the appellant. There is inordinate and abnormal delay of 3 days in lodging the F.I.R. without assigning any plausible explanation for the same. Appellant has no criminal antecedent.

On the other hand, learned Spl.PP for the State and learned counsel for the informant opposed the bail petition.

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 1st Addl. Sessions Judge cum Special Judge, SC/ST Act, East Champaran,



Motihari in connection with SC/ST Motihari P.S. Case No. 34 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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