

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL APPEAL (SJ) No.3170 of 2019**

Arising Out of PS. Case No.-55 Year-2017 Thana- SC/ST District- Gaya

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Raja Singh, son of Jitendra Singh, resident of Nandu Bigha Samaspur, P.S.-  
Belaganj, District – Gaya.

... .. Appellant.

Versus

The State of Bihar.

... .. Respondent/s

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**Appearance :**

For the Appellant/s : Mr. Nakul Kumar Jamuar  
For the Respondent/s : Mr. Binay Krishna

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

ORAL ORDER

4      01-10-2019                      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 in short referred to as the  
'SC/ST Act') against the refusal of prayer of anticipatory bail  
vide order dated 18.04.2019 passed by learned Exclusive  
Special Judge SC/ST Act, Gaya in connection with Gaya SC/ST  
P.S. Case No.55 of 2017 registered under Sections 147, 149,  
341, 323, 354 & 436 of the Indian Penal Code and Section 3(1)  
(r) (s) (w) (i) (2) (iv) of the Scheduled Castes and Scheduled  
Tribes (Prevention of Atrocities) Act.

When the informant intervened the brawl between



the Raja Singh (appellant) and Karu Das, appellant slating him in the name of caste started assaulting him. In the meantime, two other accused persons arrived there and also assaulted the informant and misbehaved with his sister-in-law and shoved her on the ground. The matter was pacified by the villagers but in the night Anuj Singh, Santosh Singh and Vivek Kumar torched his hut and left the place slating in the name of caste.

It is submitted by learned counsel for the appellant that no such occurrence as alleged ever took place. He has been falsely implicated in the case as he happens to be the friend of Karu Das and intervened the quarrel between Karu Das and appellant. There is delay of two days in lodging the F.I.R. without assigning any plausible explanation for the said delay. The allegation levelled against the appellants is not specific rather general and omnibus in nature. Appellant has no criminal antecedent. Other accused persons, namely, Gaurav Kumar @ Gaorab Singh and others and Rampukar Singh have been enlarged on anticipatory bail by coordinate Bench of this Court vide order dated 07.08.2018 and 23.03.2018 passed in Cr. Appeal (SJ) Nos.1185 of 2018 and 794 of 2018 respectively.

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



In the facts and circumstances of the case, the above named appellant, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on bail 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 Exclusive Special Judge SC/ST Act, Gaya in connection with Gaya SC/ST P.S. Case No.55 of 2017, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

Accordingly, the impugned order is set aside and this appeal is allowed.

**(Prakash Chandra Jaiswal, J)**

Trivedi/-

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