

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2806 of 2019**

Arising Out of PS. Case No.-52 Year-2019 Thana- DEO District- Aurangabad

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Ram Janam Prasad Son of Ram Prasad Sao Resident of Village - Israur, P.S.-
Deo, District - Aurangabad.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Tej Narayan Singh
For the Respondent/s : Mr. Binay Krishna

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

ORAL ORDER

4 05-08-2019 Heard learned counsel for the appellant and learned
Spl. PP for the State.

This is an appeal under Section 14(A)(2) of the
Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act against the refusal of prayer for anticipatory bail
vide orders dated 18.06.2019 passed by learned 1st Addl.
Sessions Judge-cum-Special Judge, SC/ST Act, Aurangabad in
Deo P.S. Case No. 52 of 2019 registered under Sections 147,
148, 149, 341, 323, 324, 353, 307 of the Indian Penal Code and
Sections 3(1)(r)/ 3(1)(s)/ (3)(2)(v) of the Scheduled Castes and
Scheduled Tribes (Prevention of Atrocities) Act.

Persons of two villagers were indulged in the
assault over row of passage and on intervention of the informant



and police party, they assaulted them by means of lathi, rod and stone and made the informant and some police personnel injured. Out of them, 14 persons including the appellant were apprehended while other managed to escape.

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 this case merely because he happens to be member of the mob. Allegation levelled against the appellant is not specific rather general and omnibus in nature. No injury report has been brought on record by the prosecution. There were around 72 accused persons present at the place of occurrence but the informant has not stated in specific as to who slated him in the name of his caste. Appellant has no criminal antecedent.

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

In 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 learned 1st Addl. Sessions Judge-



cum-Special Judge, SC/ST Act, Aurangabad in connection with
Deo P.S. Case No. 52 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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