

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3115 of 2019

Arising Out of PS. Case No.-22 Year-2019 Thana- MAIN P.S. District- Gaya

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1. Ankaj Kumar Son of Bhushan Singh Resident of Village - Sonwarsha, P.S.- Main, Dist.- Gaya.
 2. Satish Kumar Son of Nand Kishore Mahto Resident of Village - Sonwarsha, P.S.- Main, Dist.- Gaya.

... .. Appellants.

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Prithivi Raj Singh
For the Respondent/s : Mr. Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

4 18-09-2019 Heard learned counsel for the appellants 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 20.06.2019 passed by learned Exclusive Special Judge SC/ST Act, Gaya in connection with Main P.S. Case No. 22 of 2019 registered under Sections 341, 354 & 504/34 of the Indian Penal Code and Section 3(1) (r) (f) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.



Five named accused persons including the appellant no.1-Ankaj Kumar is said to have extended threatening of dire consequence to the informant on not compromising the case bearing no.15/19 lodged by her against them. On 08.05.2019, while mother-in-law of the informant was proceeding to the field, appellant no.2-Satish Kumar and others started dragging her.

It is submitted by learned counsel for the appellants that no such occurrence as alleged ever took place. Appellants have been falsely implicated in the case due to dirty village politics and animosity. They are on bail in Case No.15 of 2019 lodged by the informant earlier. The allegation levelled against the appellants is not specific rather general and omnibus in nature. No offence under SC/ST Act is made out against the appellants. Barring aforesaid one case lodged by the informant earlier, appellants have no criminal antecedent.

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

In the facts and circumstances of the case, the above named appellants, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.



10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge SC/ST Act, Gaya in connection with Main P.S. Case No. 22 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 this appeal is allowed.

(Prakash Chandra Jaiswal, J)

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