

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3167 of 2019

Arising Out of PS. Case No.-32 Year-2018 Thana- SC/ST District- Rohtas

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1. RAMENDRA SINGH Son of Late Deonandan Singh Resident of Village- Bharkuriya, P.S.- Indrapuri, District- Rohtas.
 2. Sanjay Singh @ Sanjay Kumar Son of Late Deonandan Singh Resident of Village- Bharkuriya, P.S.- Indrapuri, District- Rohtas.
 3. Satendra Singh Son of Late Deonandan Singh Resident of Village- Bharkuriya, P.S.- Indrapuri, District- Rohtas.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Rajesh Kumar Singh
For the Respondent/s : Mr.Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

3 30-08-2019 Heard learned counsel for the appellants and learned
Spl. PP for the State.

This is an appeal under Section 14(A)(2) of the SC/ST Act against the refusal of prayer for anticipatory bail vide order dated 30.05.2019 passed by learned 1st Addl. Sessions Judge, Rohtas at Sasaram in Dehri SC/ST P.S. Case No. 32 of 2018 registered under Sections 341, 323, 379, 506 and 504/34 of the Indian Penal Code and Section 3(i)(r)(s) of the SC/ST Act.

Appellants along with five unknown miscreants arriving at the field of the informant intercepted him from harvesting his wheat crops and on protest they slated him in the



name of his caste and slapped him. Subsequently they arrived at the house of the informant and Ramendra Singh assaulted him while Sanjay Singh took out Rs. 500/- from his pocket and also extended threatening of dire consequence to him.

It is submitted by learned counsel for the appellants that no such occurrence as alleged ever took place. As a matter of fact, appellant Satendra Singh has lodged Dehri Nagar (Indrapuri) P.S. Case No. 338 of 2018 against the informant and others preceding to the occurrence and in order to save skin from the said case informant has lodged this false and frivolous case against the appellants with altogether wrong and concocted allegation. Informant has not sustained any injury in the occurrence. The allegation levelled against the appellants is not specific rather general and omnibus in nature. There is no allegation of slating the informant in the specific name of his caste against the appellants. There is land dispute between the parties. Title Suit No. 710 of 2007 is pending between the parties and in a proceeding under Section 144 Cr.P.C. between the parties, SDJM has found possession of the appellants over the property in question. Appellants have no criminal antecedent.

Learned Spl. PP for the State opposed the prayer for



bail.

Having regard to 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 the learned 1st Addl. Sessions Judge, Rohtas at Sasaram in connection with Dehri SC/ST P.S. Case No. 32 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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