

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3183 of 2019

Arising Out of PS. Case No.-11 Year-2019 Thana- SC/ST District- Banka

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1. Sakal Deo Singh S/o Late Moti Singh Resident of Village- Mahisota, P.S.- Shambhuganj, District- Banka
 2. Dil Ranjan Singh @ Dil Ranjan Pd. Singh @ Laltu Singh S/o Bisun Deo Singh Resident of Village- Mahisota, P.S.- Shambhuganj, District- Banka

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Shree Niwas Singh

For the Respondent/s : Mr. Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

4 15-10-2019 Learned counsel for the appellants seeks permission to withdraw this case in respect of appellant no. 2 Dil Ranjan Singh submitting that said appellant has been apprehended during pendency of this appeal.

Permission is granted.

Accordingly, this appeal is dismissed as withdrawn in respect of the appellant no. 2.

Heard learned counsel appearing on behalf of the appellant no. 1 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 of anticipatory bail



vide order dated 18.06.2019 passed by learned 1st Addl. Sessions Judge, Banka in SC/ST P.S. Case No. 11 of 2019 registered under Sections 341, 323, 354, 504, 506/34 of the Indian Penal Code and Section 3(1)(r) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Over theft of mobile of co-accused Dil Ranjan Singh by the son of the informant, said Dil Ranjan Singh and Sakal Deo Singh started assaulting the informant and her husband and when they rushed into their house, the aforesaid accused persons arriving at the house of the informant slated her in the name of her caste and breaking open the door of the informant assaulted the informant and her husband and made them captive in their house for five hours.

It is submitted by learned counsel appearing on behalf of appellant no. 1 that no such occurrence as alleged ever took place. As a matter of fact, co-accused Dil Ranjan Singh has lodged Shambhuganj P.S. Case No. 60 of 2019 against the husband of the informant preceding to the case under hand and in order to save skin from the said case, the informant has lodged this false and frivolous case against the appellant after four days delay without assigning any plausible explanation for the said delay. None has sustained injury in the occurrence.



There is no allegation of slating the informant in the specific name of her caste against the appellant.

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

In the facts and circumstances of the case, appellant no. 1 Sakal Deo Singh is directed to 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, Banka in SC/ST P.S. Case No. 11 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 in respect of appellant no. 1 is allowed.

(Prakash Chandra Jaiswal, J)

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