

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3196 of 2019

Arising Out of PS. Case No.-31 Year-2018 Thana- SC/ST District- Rohtas

1. HRIDYA SINGH @ HRIDYA NAND SINGH Son of Late Ramadhar Singh Resident of Village- Puranwasi Bigha, P.O.- Dalmianagar, P.S.- Dalmianagar (Dehri), District- Rohtas.
2. Dharendra Singh @ Sethu Singh @ Shidhu Son of Sarda Singh Resident of Village- Puranwasi Bigha, P.O.- Dalmianagar, P.S.- Dalmianagar (Dehri), District- Rohtas.
3. Alok Singh Son of Hridya Singh Resident of Village- Puranwasi Bigha, P.O.- Dalmianagar, P.S.- Dalmianagar (Dehri), District- Rohtas.
4. Sosa Singh @ Dharamraj Singh @ Sepa Singh Son of Sarda Singh Resident of Village- Puranwasi Bigha, P.O.- Dalmianagar, P.S.- Dalmianagar (Dehri), District- Rohtas.
5. Sakti Singh Son of Sikandra Singh Resident of Village- Puranwasi Bigha, P.O.- Dalmianagar, P.S.- Dalmianagar (Dehri), District- Rohtas.
6. Ladda Singh @ Roshan Kumar Son of Vijay Singh Resident of Village- Puranwasi Bigha, P.O.- Dalmianagar, P.S.- Dalmianagar (Dehri), District- Rohtas.
7. Vikash Kumar @ Vikky Singh Son of Vijay Singh Resident of Village- Puranwasi Bigha, P.O.- Dalmianagar, P.S.- Dalmianagar (Dehri), 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.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

4 26-09-2019 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 13.06.2019 passed by learned 1st Addl. Sessions Judge,



Rohtas at Sasaram in SC/ST P.S. Case No. 31 of 2018 registered under Sections 147/148/149/341/323/354/504/506/379/34 of the Indian Penal Code and Section 3(i)(r)(s) of the SC/ST Act.

On refusal to put signature on the wrong genealogy submitted by the appellant Hridya Singh by the informant, other appellants arriving at the house of the informant slated her in the name of her caste and also assaulted her by means of leg and fist. Appellant Alok Singh tore her blouse and appellant Sethu Singh snatched her Mangalsutra. They also extended threatening of dire consequence to her in case of lodging case by her.

It is submitted by learned counsel for the appellants that the appellants have no concern with the aforesaid occurrence. They have been falsely implicated in the case merely because appellant Alok Singh had made complaint against the husband of the informant for creating nuisance in the locality in inebriated condition whereupon he was arrested by the police. The allegation levelled against the appellants is not specific rather general and omnibus in nature. Informant has not sustained any injury in the occurrence. Slating the informant in the name of her caste is said to have been made at the house of the informant and not in public view, hence no offence under SC/ST Act is made out against the appellants. There is



inordinate delay of 3 days in lodging the F.I.R. without assigning any plausible and convincing explanation for the same. 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 SC/ST P.S. Case No. 31 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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