

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3510 of 2019

Arising Out of PS. Case No.-22 Year-2019 Thana- SC/ST District- Aurangabad

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1. PAPPU SINGH@ PAPPU KUMAR Son of Yugal Singh Resident of Village - Chandauli, P.S.- Barun, Distt - Aurangabad.
 2. Yugal Singh Son of Dharamdeo Singh Resident of Village - Chandauli, P.S.- Barun, Distt - Aurangabad.
 3. Pankaj Kumar @ Pankaj Singh Son of Yugal Singh Resident of Village - Chandauli, P.S.- Barun, Distt - Aurangabad.
 4. Ravi Singh @ Ravi Kumar Son of Yugal Singh Resident of Village - Chandauli, P.S.- Barun, Distt - Aurangabad.
 5. Jitendra Singh Son of Kauleshwar Singh Resident of Village - Chandauli, P.S.- Barun, Distt - Aurangabad.

... .. Appellant/s

Versus

1. The State of Bihar
2. Jitendra Ram Son of Dilip Ram Resident of Village - Sanathua, P.S.- Risiup, Distt - Aurangabad.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Sanjay Kumar
For the Respondent/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

4 24-10-2019 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 10.07.2019 passed by learned 1st Addl. Sessions Judge cum Special Judge, SC/ST Act, Aurangabad in Aurangabad SC/ST P.S. Case No. 22 of 2019 registered under Sections 341, 323, 504 and 506/34 of the Indian Penal Code and Section 3(i)



(r)(s)/3(2)(va) of the SC/ST Act.

On entering the cow of the informant in the campus of the appellant Pappu Singh, when the informant went there to take back his cow, all the appellants started slapping him and took him in the field of high school and got his attire stripped off and slating him in the name of his caste made him to do seat up for 50 times and lick the spit on the ground.

It is submitted by learned counsel for the appellants that no such occurrence as alleged ever took place. As a matter of fact, informant and others intruding into the house of the appellant Pappu Singh assaulted his father. Regarding the said occurrence, said appellant has lodged Barun P.S. Case No. 139 of 2019 against the informant and others and has also filed informatory petition before the S.D.O., Aurangabad on 04.06.2019 and in order to save skin from the said case, informant has lodged this false and frivolous case against the appellants. There is inordinate delay of 10 days in lodging the F.I.R. without assigning any plausible explanation for the aforesaid delay which creates serious doubt about the prosecution case. 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 cum Special Judge, SC/ST Act, Aurangabad in connection with Aurangabad SC/ST 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 appeal is allowed.

(Prakash Chandra Jaiswal, J)

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