

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3512 of 2019**

Arising Out of PS. Case No.-25 Year-2019 Thana- SC/ST District- Gaya

Ranveer Ranjan @ Jodhi Son of Birbal Singh Resident of Mohalla- Janakpur
(Lakhibagh), Police Station- Muffasil, District- Gaya.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Rabindra Kumar Priyadarshi
For the Respondent/s : Mr.Sadanand Paswan

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

6 01-10-2019 Heard learned counsel for the appellant 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 referred to as the “SC/ST Act”) against the refusal of prayer for anticipatory bail vide order dated 27.06.2019 passed by learned Exclusive Special Judge, in connection with SC/ST P.S. Case No. 25 of 2019, registered under Sections 341, 323, 504, 387, 506/34 of the Indian Penal Code and also under Section 3 (i) (r) (s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Informant purchased the land in the name of his wife



from co-accused Santosh Kumar and constructed house on the said land, but the said Santosh Kumar locked the duly constructed house. Said Santosh Kumar, appellant and two unknown miscreants told him that they will not allow him to live in their locality. Santosh Kumar assaulted him by means of legs and fists. He also pulled attire of his wife. The said Santosh Kumar and the appellant were slating them in the name of their caste.

It is submitted by the learned counsel for the appellant that the appellant has no concern with the aforesaid occurrence. He has neither sold out the land to the informant nor locked his house. The only allegation against the appellant is of slating the informant and his wife in the name of their caste. The said allegation is not specific rather general and omnibus in nature. There is an inordinate delay of two months in lodging the complaint petition by the complainant without assigning any plausible explanation for the same which creates serious doubt about the prosecution case. He has no criminal antecedent. Hence, he may be enlarged on bail.

On the other hand, learned Spl. P.P. for the State and counsel for the informant opposed the prayer for bail has submitted that appellant happens to be identifier of the sale deed



as executed in favour of the wife of the informant and he has also slated the informant and his wife in the name of their caste. Hence, he does not deserve bail.

In the facts and circumstances of the case, the above named appellant is directed to be enlarged on bail in the event of his arrest or surrender before the learned Court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge SC/ST (POA) Act, Gaya in connection with SC/ST P.S. Case No. 25 of 2019, subject to 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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