

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3531 of 2019

Arising Out of PS. Case No.-482 Year-2019 Thana- BIHTA District- Patna

-
1. Lalan Singh Son of Late Veer Singh Resident of Village-Rajpur, P.S.-Bihta, District-Patna.
 2. Pawan Singh Son of Lalan Singh Resident of Village-Rajpur, P.S.-Bihta, District-Patna.

... .. Appellants.

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Pankaj Kumar

For the Respondent/s : Mrs. Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

4 24-09-2019 Heard learned counsel for the appellants 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 in short referred to as the 'SC/ST Act') against the refusal of prayer of anticipatory bail vide order dated 08.07.2019 passed by learned Additional Sessions Judge-XIII-cum Special Judge SC/ST Act, Patna in connection with Bihta P.S. Case No. 482 of 2019 registered under Sections 341, 323, 325, 354 A, 448, 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 slating by his pattidar Bindu Paswan appellants started assaulting him and when the informant rushed in his rescue both the appellants slated and assaulted him. Pawan Singh assaulted him by means of rod and when his pregnant wife rushed in his rescue Lalan Singh assaulted on her abdomen then the appellants left the scene extending threatening of dire consequence in case of lodging the case.

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 this case merely because they opposed the informant and his pattidar Bindu Paswan over creating nuisance in the village by taking liquor. None has sustained injury in the occurrence. There is no allegation of slating the informant in the specific name of his caste. The allegation levelled against the appellants is not specific rather general and omnibus in nature. Appellants have no criminal antecedent.

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

In the facts and circumstances of the case, the above named appellants, in the event of their arrest or surrender before the learned Court below within a period of six weeks



from today, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-XIII-cum Special Judge SC/ST Act, Patna in connection with Bihta P.S. Case No. 482 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 this appeal is allowed.

(Prakash Chandra Jaiswal, J)

Trivedi/-

U		T	
---	--	---	--

