

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3505 of 2019

Arising Out of PS. Case No.-504 Year-2018 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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1. Pankaj Singh Son of Upendra Singh Resident of Village-Iniyar, P.S.-Muffasil, District-Begusarai.
 2. Sanjeev Singh Son of Late Bhallu Singh @ Bhullu Singh Resident of Village-Iniyar, P.S.-Muffasil, District-Begusarai.
 3. Deepak Singh Son of Madho Singh Resident of Village-Iniyar, P.S.-Muffasil, District-Begusarai.

... .. Appellants.

Versus

The State of Bihar.

... .. Respondent.

Appearance :

For the Appellant/s	:	Mr. Sandip Kumar Gautam
For the Respondent/s	:	Mr. Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

3 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 10.07.2019 passed by learned Special Judge SC/ST Act, Begusarai in connection with Muffasil P.S. Case No. 504 of 2018 registered under Sections 147, 149, 341, 342, 323, 307, 427, 353, 337, 153 A & 356 of the Indian Penal Code and Section 3(1) (r) (s) & 3 (2) (va) of the Scheduled Castes and



Scheduled Tribes (Prevention of Atrocities) Act.

30-35 unnamed miscreants are said to have attacked on the informant and Chairman of Bihar Vidhan Sabha SC/ST Samiti on way to Begusarai and damaged the vehicles and slated the informant in the name of his. They also assaulted the informant and the said Chairman by means of brick-bat and also tried to snatch carbine of P.S.O. of Chairman.

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 due to dirty village politics. They are not named in the FIR. Allegation of slating and assaulting the victims levelled against the appellants are not specific rather general and omnibus in nature. The appellants are not said to have slated the informant in his specific caste name. Appellant nos.1 & 2 have no criminal antecedent, while one case under the Excise Act has been lodged against appellant no.3 but he is on bail in the said case. Similarly situated co-accused, namely, Raja @ Chhotu and Rohit Kumar have been enlarged on anticipatory bail by a co-ordinate Bench of this Court vide order dated 12.04.2019 passed in Cr. Appeal (SJ) No.1011 of 2019, while four other accused persons, namely, Rajeev Kumar, Raj Kumar Singh, Niranjana



Kumar and Gunjesh Kumar have been enlarged on anticipatory bail by this Court vide order dated 02.07.2019 passed in Cr. Appeal (SJ) No.1533 of 2019.

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 Special Judge SC/ST Act, Begusarai in connection with Muffasil P.S. Case No. 504 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 this appeal is allowed.

(Prakash Chandra Jaiswal, J)

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