

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3544 of 2019

Arising Out of PS. Case No.-526 Year-2018 Thana- HAJIPUR District- Vaishali

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Aaryan Singh @ Veer Kunwar Singh @ Aaryan Kumar @ Veer Kumar Singh
Son of Late Chandeshwar Singh Resident of Village-Fatehpur, P.S.-Raghopur,
District-Vaishali.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Anil Kumar

For the Respondent/s : Mr. Binay Krishna

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

ORAL ORDER

2 26-08-2019 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 in short referred to as the 'SC/ST Act') against the refusal of prayer of anticipatory bail vide order dated 19.07.2019 passed by learned 1st Additional Sessions Judge cum Special Judge, Vaishali in connection with Hajipur Town P.S. Case No. 526 of 2018 registered under Sections 341, 323, 504 & 506/34 of the Indian Penal Code and Section 3(1) (r) (s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

While the informant was proceeding to Chapra along



with cattles on his vehicle 20 unnamed accused persons including the appellant intercepted him. They slated and assaulted the informant and his driver and the appellant wedged his head in the sand.

It is submitted by learned counsel for the appellant that no such occurrence as alleged ever took place. Appellant has been falsely implicated in the case due to dirty village politics. There is no allegation against the appellant of slating the informant in the specific name of his caste. The allegation of assaulting the informant and his driver levelled against the appellant is not specific rather general and omnibus in nature. None has sustained injury in the occurrence. Informant happens to be of different district. He has not disclosed the identity and genuineness of the source of information of name of the appellant in the written report. Appellant has 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 appellant, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on bail 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 1st Additional Sessions Judge cum Special Judge SC/ST Act, Vaishali at Hajipur in connection with Hajipur Town P.S. Case No. 526 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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