

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3684 of 2019**

Arising Out of PS. Case No.-85 Year-2019 Thana- SIWAIPATTI District- Muzaffarpur

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Ajeet Kumar S/o Deeplal Rai @ Deeplal Ram Resident of Village- Magiya,
P.S.- Siwaipatti, District- Muzaffarpur.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s	:	Mr. Pradhan Murli Manohar Prasad Mr. Rajesh Kumar Goswami
For the Respondent/s	:	Mr. Sadanand Paswan

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

ORAL ORDER

2 02-09-2019 Heard learned counsel for the appellant and learned
Spl. PP for the State.

This is an appeal under Section 14(A)(2) of the
Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act against the refusal of prayer of anticipatory bail
vide order dated 16.07.2019 passed by learned Special Judge,
SC/ST Act, Muzaffarpur in Siwaipatti P.S. Case No. 85 of 2019
registered under Sections 147, 149, 341, 323, 379, 504, 506,
120-B of the Indian Penal Code and Section 3(1)(r)(s) of the
Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act.

When the informant arrived at Doma Chawk giving
chase to the Safari Vehicle, said Safari Vehicle fled away, but



the informant was surrounded by 35 named accused persons including the appellant and 50-60 unknown miscreants, who slated the informant in the name of his caste assaulted him and hampered him in discharge of the official duties.

It is submitted by learned counsel for the appellant that the appellant has no concern with the aforesaid occurrence. He has been falsely implicated in this case due to dirty village politics. He happens to be member of the mob. Allegation levelled against the appellant is not specific rather general and omnibus in nature. Informant has not sustained any injury. Moreover, there is no allegation of slating the informant in the specific name of his caste against the appellant. There is inordinate and abnormal delay of four days in lodging the FIR without assigning any plausible explanation for the same. Appellant has no criminal antecedent.

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

In the facts and circumstances of the case, let the above named appellant be released on bail, in the event of his 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) with two sureties of the like amount



each to the satisfaction of learned Special Judge, SC/ST Act, Muzaffarpur in connection with Siwaipatti P.S. Case No. 85 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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