

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3778 of 2019**

Arising Out of PS. Case No.-68 Year-2018 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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1. RAM SINHASAN SINGH @SINHASAN SINGH S/o Late Saryug Singh
R/o village- Rahimpur Pyarepur, P.S.- Ghatho, District- Samastipur
 2. Arjun Pandit S/o Ramashish Pandit R/o village- Rahimpur Pyarepur, P.S.-
Ghatho, District- Samastipur
 3. Ramashish Pandit S/o Late Shivilal Pandit R/o village- Rahimpur Pyarepur,
P.S.- Ghatho, District- Samastipur

... .. Appellant/s

Versus

1. The State of Bihar Bihar
2. Rita Devi W/o Dinesh Ram R/o village- Rahimpur Pyarepur, P.S.- Ghatho,
District- Samastipur

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Alok Kumar Sinha
For the Respondent/s : Mr.Usha Kumari 1

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

ORAL ORDER

3 18-10-2019 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 15.07.2019 passed by
learned 1st Additional Sessions Judge, Samastipur in
connection with Complaint Case No. 68 of 2018



registered under Sections 323 & 341 of the Indian Penal Code and Section 3(1) (r) (s) (w) and 3 (2) (va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Appellant no.1-Ram Sinhasan Singh @ Sinhasan Singh showing the land in question as his ancestral land obtained Rs.20,000/- from the complainant to execute the said land in her favour but he executed the land to Ramashish Pandit. When the complainant arrived at his house to make complain, he made her to leave the house slating her in the name of caste and subsequently all the three appellants arriving at the house of the complainant assaulted her and her parents-in-law slating her in the name of caste and snatched the golden chain of her gotani.

It is submitted by learned counsel for the appellants that the appellants have no concern with the aforesaid occurrence. Appellant Ram Sinhasan Singh @ Sinhasan Singh has not taken any money from the complainant to execute the land in her favour. There is no evidence of giving the said money to the said appellant by the complainant. They have been falsely implicated in



this case merely because appellant no.1 has got initiated a proceeding under Section 144 Cr.P.C. against the husband of informant and others and they were directed to surety and the bail bond of Rs.20,000/-in the said proceeding. Slating the complainant in the name of caste is said to have been made at the house of the appellant and not in public view, hence no offence under SC/ST Act is made out against the appellants. The allegation levelled against the appellants is not specific rather general and omnibus in nature. Informant has not sustained any injury in the occurrence. 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 1st Additional Sessions Judge, Samastipur in connection with



Complaint Case No. 68 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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