

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL APPEAL (SJ) No.3787 of 2019**

Arising Out of PS. Case No.-34 Year-2018 Thana- SHEIKHOPUR SARAI District-  
Sheikhpura

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Gulsan Kumar Son of Sudhir Singh @ Sudheer Kumar Singh Resident of  
Village - Jodhanbigha, P.S.- Seikhopur Sarai, District- Sheikhpura

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

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**Appearance :**

For the Appellant/s : Mr. Vijay Kumar

For the Respondent/s : Mr. Binay Krishna

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

ORAL ORDER

2      06-09-2019                      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 24.07.2019 passed by learned 1<sup>st</sup> Addl. Sessions  
Judge, Sheikhpura in Sheikhopur Sarai P.S. Case No. 34 of 2018  
registered under Sections 147, 148, 149, 448, 353, 427 of the  
Indian Penal Code and Sections 3(2)(va), 3(R)(S) of the  
Scheduled Castes and Scheduled Tribes (Prevention of  
Atrocities) Act.

On the occasion of Bharat Band, 14 named  
including the appellant and 20-25 unknown miscreants blocked



the road, damaged the statue of Baba Bhim Ram Ambedkar and also went on rampage in the market.

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. Allegation levelled against the appellant is not specific rather general and omnibus in nature. Utmost, he happens to be member of the mob. Appellant has no criminal antecedent. Similarly situated several co-accused persons namely, Gopal Kumar & Ors. have been enlarged on anticipatory bail by different co-ordinate Bench of this Court.

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 1<sup>st</sup> Addl. Sessions Judge, Sheikhpura in connection with Sheikhopur Sarai P.S. Case No. 34 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  
appeal is allowed.

**(Prakash Chandra Jaiswal, J)**

rohit/-

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