

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3795 of 2019

Arising Out of PS. Case No.-296 Year-2019 Thana- HAJIPUR SADAR District- Vaishali

1. RAMPUJAN SINGH Son of Roshan Singh Resident of Village- Daulatpur Chandi, P.S.- Hajipur Sadar, District- Vaishali.
2. Rohit Kumar Son of Ram Babu Singh Resident of Village- Daulatpur Chandi, P.S.- Hajipur Sadar, District- Vaishali.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Surendra Kishore Thakur

For the Respondent/s : Mrs. Usha Kumari I

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

3 17-10-2019 Heard learned counsel for the appellants 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 23.07.2019 passed by learned Special Judge, SC/ST Act, Vaishali at Hajipur in Hajipur Sadar P.S. Case No. 296 of 2019 registered under Sections 147, 178, 149, 341, 323, 324, 333, 337, 353, 354, 307, 379, 504, 506 of the Indian Penal Code and Section 3(i)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

49 named accused persons including the appellants



and 80-90 unknown miscreants are said to have blocked Lalganj Hajipur main road. When the informant along with police posse arrived there and tried to lift the blockade, they assaulted by means of lathi making the informant and two other police personnel injured. They also slated the Chowkidar in the name of his caste and tried to snatch their arms.

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. Utmost, the appellants happen to be member of the mob. Allegation levelled against the appellants is not specific rather general and omnibus in nature. Victim has sustained simple injury in the occurrence. Chowkidar Laldeo Paswan appearing before the learned lower court and by filing petition, has denied his presence at the place of occurrence at the time of occurrence. Appellants have no criminal antecedent. Similarly situated co-accused persons, namely, Subodh Kumar Singh and others have been enlarged on anticipatory bail by this Court vide order dated 17.09.2019 passed in Cr. Appeal (SJ) No.3938 of 2019.

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



In the facts and circumstances of the case, let the above named appellants be released on bail, in the event of their 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) each with two sureties of the like amount each to the satisfaction of learned Special Judge, SC/ST (POA) Act, Vaishali at Hajipur in connection with Hajipur Sadar P.S. Case No. 296 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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