

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3905 of 2019**

Arising Out of PS. Case No.-1 Year-2019 Thana- SC/ST District- Jehanabad

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Rajnish Kumar @ Rajnish Sharma Son of Rajeev Sharma @ Rajeev Ranjan
Kumar Resident of Village - Gandhar, P.S.- Ghosi, Dist.- Jehanabad.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Manoj Kumar
For the Respondent/s : Mr. Binay Krishna

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

ORAL ORDER

3 23-10-2019 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 06.08.2019 passed by learned 1st Addl. Sessions
Judge, Jehanabad in Jehanabad SC/ST P.S. Case No. 1 of 2019
registered under Sections 341, 323, 504, 506, 379/34 of the
Indian Penal Code and Sections 3(1)(r)(s), 3(2)(va) of the
Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act.

Informant works as a motorcycle mechanic in the
garage of Ranjit Mistri. Appellant and co-accused Saurav



Kumar got the motorcycle repaired in the aforesaid garage on 28.11.2018 without making payment of repairing charge, and subsequently, on 6.1.2019 on demand of repairing charge by the informant on arrival at the aforesaid garage by them, they slated the informant in the name of his caste and also slapped him and appellant snatched his Rs. 500/-.

It is submitted by learned counsel for the appellant that no such occurrence as alleged ever took place. He has been falsely implicated in this case due to animosity and dirty village politics. Allegation levelled against the appellant is not specific rather general and omnibus in nature. Owner of said garage, namely, Ranjit Mistri @ Mani Singh Raushan by filing petition before the S.P. Jehanabad has denied happening of such occurrence at his garage. Informant has not sustained any injury in the occurrence. Parties to the case have compromised the matter. 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 1st Addl. Sessions Judge, Jehanabad in Jehanabad SC/ST P.S. Case No. 1 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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