

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3860 of 2019

Arising Out of PS. Case No.-59 Year-2018 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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1. SUPRIYA Wife of Rajeev Kumar Resident of Village - Mahmadpur, P.S.- Begusarai Town, District- Begusarai
 2. Rajeev Kumar Son of Vyash Nandan Singh Resident of Village - Mahmadpur, P.S.- Begusarai Town, District- Begusarai

... .. Appellants.

Versus

1. The State of Bihar.
2. Meena Devi Wife of Prakash Rajak R/O - Bishanpur Azad Chawak, Dhobi Tola, P.S.- Nagar, District- Begusarai

... .. Respondents.

Appearance :

For the Appellant/s : Mr. Shubhesh Pandey
For the Respondent/s : Mr. Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

4 14-11-2019 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 24.06.2019 passed by learned Special Judge SC/ST Act, Begusarai in connection with Complaint Case No. 59C of 2018 registered under Sections 323, 379 & 504 of the Indian Penal Code and Section 3(1) (r) of the Scheduled Castes



and Scheduled Tribes (Prevention of Atrocities) Act.

On refusal of complainant to wash the apparel of the appellants till the payment of due washing charges by them, they slated the informant in the name of caste and dragging her on the road from her shop slapped her and on exhortation of appellant no.1, appellant no.2 started squeezing neck of her husband by tying gamacha slating him in the name of caste. Appellant no.1 snatched her Mangalsutra.

It is submitted by learned counsel for the appellants that the appellants have no concern with the aforesaid occurrence. As a matter of fact, appellant no.1 lodged Begusarai Nagar P.S. Case No.424 of 2018 against the sons of the complainant and others on 17.07.2018 i.e. preceding to the case under hand and in order to save skin from the said case the complainant has lodged this false and frivolous case against the appellants. The allegation levelled against the appellants is not specific rather general and omnibus in nature. There is inordinate delay of three days in lodging the case without assigning any plausible explanation for the said delay. 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 Special Judge SC/ST Act, Begusarai in connection with Complaint Case No. 59C 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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