

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL APPEAL (SJ) No.4406 of 2019**

Arising Out of PS. Case No.-141 Year-2019 Thana- BIDUPUR District- Vaishali

1. Braj Kishore Singh @ Pappu Singh, Son of Late Uma Singh, Resident of Village- Dilawarpur Gowardhan, P.S.- Bidupur, District- Vaishali.
2. Digvijay Singh @ Guddu Singh, Son of Birendra Singh, Resident of Village- Dilawarpur Gowardhan, P.S.- Bidupur, District- Vaishali.
3. Kundan Singh, Son of Varun Singh, Resident of Village- Dilawarpur Gowardhan, P.S.- Bidupur, District- Vaishali.
4. Ram Narayan Singh @ Narayan Singh @ Main Singh @ Maini Singh, Son of Late Ramashish Singh, Resident of Village- Dilawarpur Gowardhan, P.S.- Bidupur, District- Vaishali.
5. Anil Mahto, Son of Rampravesh Singh, Resident of Village- Dilawarpur Gowardhan, P.S.- Bidupur, District- Vaishali.
6. Pintu Singh, Son of Bindeshwar Singh, Resident of Village- Dilawarpur Gowardhan, P.S.- Bidupur, District- Vaishali.
7. Deepak Kumar @ Deepak Singh, Son of Late Uma Singh, Resident of Village- Dilawarpur Gowardhan, P.S.- Bidupur, District- Vaishali.
8. Monu Singh @ Manu Singh @ Bittu Singh, Son of Vimal Singh, Resident of Village- Dilawarpur Gowardhan, P.S.- Bidupur, District- Vaishali.
9. Vikram Singh, Son of Sanjay Singh, Resident of Village- Dilawarpur Gowardhan, P.S.- Bidupur, District- Vaishali.
10. Babita Devi, Wife of Anil Mahto, Resident of Village- Dilawarpur Gowardhan, P.S.- Bidupur, District- Vaishali.
11. Pramila Devi, Wife of Amarnath Mahto, Resident of Village- Dilawarpur Gowardhan, P.S.- Bidupur, District- Vaishali.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

**Appearance :**

For the Appellant/s : Mr.Yugal Kishore, Advocate

For the Respondent/s : Mr.Sadanand Paswan, Spl.PP.

**CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA**  
**ORAL ORDER**

3      02-12-2019                      Heard learned counsel for the appellants and the  
learned counsel appearing on behalf of the State.

This appeal under Section 14A(ii) of the S.C. & S.T.



Act has been filed for setting aside the order dated 30.08.2019 passed by learned 1<sup>st</sup> Additional Sessions Judge Cum Spl. Judge, S.C./S.T. Act, Vaishali at Hajipur, by which the anticipatory bail filed by the appellants has been rejected in connection with Bidupur P.S. Case No.141 of 2019 under Section 120B/406 of the I.P.C. and 3(1)(p)(i) of S.C./S.T. Act, and, in the event of arrest or surrender of the appellants, the appellants may be released on anticipatory bail.

Learned counsel for the appellants submits that there is no specific allegation against the present appellant and there is a case and counter case between the parties. It is further submitted that apart from one other antecedent, which was also of similar nature, in which the appellants have already been extended the privilege of bail, the appellants have no other criminal antecedents. Learned counsel for the appellants further submits that the entire case stands falsified by the statement made by the informant himself as the occurrence has not taken place in public or in public view or even in the manner in which the informant has narrated the case. Learned counsel thus submits that the entire allegation against the appellants under the provisions of the S.C.& S.T. Act cannot be sustained and thus, the appellants may be



extended the privilege of anticipatory bail.

Considering the aforementioned facts and circumstances, let the appellants, above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned 1<sup>st</sup> Additional Sessions Judge Cum Spl. Judge, S.C./S.T. Act, Vaishali at Hajipur, in connection with Bidupur P.S. Case No.141 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

In the result, the appeal is allowed and the impugned order dated 30.08.2019 is set aside.

**(Anjana Mishra, J)**

PNM

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