

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4479 of 2019

Arising Out of PS. Case No.-461 Year-2018 Thana- MAJHAULIA District- West Champaran

1. MANJAY SINGH @ MANJAY KUMAR SINGH Son of Late Ram Narayan Singh Resident of Village- Chailabhar, Police Station- Majhaulia, District- West Champaran.
2. Vijay Singh Son of Late Ram Narayan Singh Resident of Village- Chailabhar, Police Station- Majhaulia, District- West Champaran.
3. Ritik Kumar @ Ritik Raj Kumar Son of Sanjay Singh Resident of Village- Chailabhar, Police Station- Majhaulia, District- West Champaran.

... .. Appellants

Versus

The State of Bihar

... .. Respondent

Appearance :

For the Appellant/s : Mr. Brij Kishor Mishra
For the Respondent/s : Mr. Binay Krishna

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

2 18-10-2019 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 24.05.2019 passed by learned Additional Sessions Judge 1st-cum-Special Judge, West Champaran, Bettiah in connection with Majhaulia P.S. Case No.461 of 2018 registered under Sections 341, 323, 324, 504/34 of the Indian Penal Code and Section 3(i)(r)(s)(ii)(va) of the Scheduled



Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Appellants are said to have slated and assaulted the informant due to village dispute in the fair.

It is submitted by learned counsel for the appellants that appellants have no concern with the aforesaid occurrence. The appellants have been falsely implicated in the case due to dirty village politics. There is a case and counter case between the parties. The allegation levelled against the appellants is not specific rather general and omnibus in nature. The informant has not sustained any injury in the occurrence. There is no allegation of slating the informant in the specific name of his caste against the appellants, hence no offence under SC/ST Act is made out against the appellants. Parties to the case have compromised the case. 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 released 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 Additional



Sessions Judge 1st-cum-Special Judge, West Champaran, Bettiah
in connection with Majhaulia P.S. Case No.461 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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