

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4506 of 2019

Arising Out of PS. Case No.-175 Year-2019 Thana- KAUWAKOL District- Nawada

1. Ram Chandra Sao @ Ram Chandra Saw, Son of Late Puran Sao, Resident of Village- Kawakol Koniapar, P.S. Kawakol in the District of Nawada.
2. Pintu Sao @ Pintu Kumar, Son of Ram Chandra Sao @ Ram Chandra Saw, Resident of Village- Kawakol Koniapar, P.S. Kawakol in the District of Nawada.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Deepak Kumar, Advocate
For the Respondent/s	:	Mr. Sadanand Paswan, APP

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.

The appellants have preferred the present appeal under Section 14A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 2015 for setting aside the order dated 30.08.2019 passed by the 1st Additional Sessions Judge Cum Special Judge, Nawada in A.B.P. No.1198 of 2019, whereby the application for grant of anticipatory bail on behalf of the appellants has been rejected in connection with Kawakol P.S. Case No.175 of 2019 instituted under Sections 341/323/ 448/ 379/ 307/ 354B/ 504/506/34 of the Indian Penal Code and Section 3(i)(r) of the



SC/ST (Prevention of Atrocities) Act.

Learned counsel for the appellants submits that Appellant No.2 Pintu Sao @ Pintu Kumar has already been apprehended and, therefore, the appeal as against him has been rendered infructuous. It is thus dismissed as infructuous.

So far as Appellant No.1 Ram Chandra Sao @ Ram Chandra Saw is concerned, he is an aged man and the entire case against him is false and frivolous. It is further submitted that a totally false allegation has been levelled against him that he had assaulted the mother-in-law of the informant by means of axe on her head, but in the injury report which has come on record, there is no visible injury at all on her person. Learned counsel for the appellant further submitted that the provisions of the S.C./S.T. Act would not be applicable against the present appellant for the reasons that the allegations appear to be palpably false and the injury purported to have been inflicted by the present appellant does not stand testified by the medical report.

Considering the aforementioned facts and circumstances and that the appellant No.1 has no criminal antecedents, let the Appellant No.1 Ram Chandra Sao @ Ram Chandra Saw, above named, in the event of his 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 bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned 1st Additional Sessions Judge-Cum-Special Judge, Nawada, in connection with Kawakol P.S. Case No.175 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

U		T	
---	--	---	--

