

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4662 of 2019**

Arising Out of PS. Case No.-37 Year-2019 Thana- SC/ST District- Aurangabad

Sanjiv Kumar Singh @ Bablu Singh S/o Nagendra Singh @ Narendr Kumar Singh Resident of Village- Indrar, P.S.- Pauthu, District- Aurangabad.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Bhaskar Shankar
For the Respondent/s : Mr. Sadanand Paswan

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

ORAL ORDER

2 04-11-2019 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 21.09.2019 passed by learned 1st Addl. Sessions Judge cum Special Judge, Aurangabad in SC/ST P.S. Case No. 37 of 2019 registered under Sections 341, 323, 324, 506, 504 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.

Appellant arriving at the house of the informant slated him in the name of his caste on his refusal to accompany



him to the Block Office. When the informant arrived at the Block Office, he slated him in the name of his caste, pressed his neck and assaulted him by means of leg, fist and knife and tore his documents asking him to get the resignation of his wife tendered.

It is submitted by learned counsel for the appellant that no such occurrence as alleged ever took place. As a matter of fact, appellant has lodged Rafiganj P.S. Case No. 207/2019 against the informant and in order to save skin from the said case, informant has lodged this false and frivolous case after eight days delay without assigning any plausible explanation for the said delay, which creates serious doubt about the prosecution case. Informant has not sustained any knife injury as the doctor has not found the said injury on his person and other injury sustained by the informant is simple in nature. 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 cum Special Judge, Aurangabad in SC/ST P.S. Case No. 37 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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