

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4692 of 2019

Arising Out of PS. Case No.-599 Year-2019 Thana- RAMKRISHNANAGAR District- Patna

DHARMENDRA YADAV Son of Ram Pravesh Singh Resident of Dhelwan,
P.S.- Ramakrishna Nagar, District- Patna

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Usha Kumari Singh
For the Respondent/s : Mr.Sadanand Paswan

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

ORAL ORDER

2 05-11-2019 Heard learned counsel for the appellant 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 11.09.2019 passed by learned Additional Sessions Judge-XX-cum- Special Judge (SC/ST Act), Patna in connection with Special Case No. 405 of 2019, arising out of Ramkrishna Nagar P.S. Case No.599 of 2019 registered under Sections 341, 323, 354B/34, 447, 448 of the Indian Penal Code and Section 3(1) (r) (s) (w) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.



On falling dirty water on the gate of the appellant in course of sweeping by the informant, appellant and co-accused Rohit Kumar assaulted him by means of leg, fist and wiper and tore her blouse.

It is submitted by learned counsel for the appellant that no such occurrence as alleged ever took place. He has been falsely implicated in the case over petty dispute with him. Informant has not sustained any injury in the occurrence. The allegation levelled against the appellant is not specific rather general and omnibus 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, the above named appellant, in the event of his 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) with two sureties of the like amount each to the satisfaction of the learned Addl. Sessions Judge-XX- cum Special Judge (SC/ST Act), Patna in connection with Special Case No.405/2019, arising out of Ramkrishna Nagar P.S. Case No.599/2019, subject to the



condition as laid down under Section 438 (2) of the Cr.P.C.

Accordingly, the impugned order is set aside and this appeal is allowed.

(Prakash Chandra Jaiswal, J)

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