

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5032 of 2019

Arising Out of PS. Case No.-245 Year-2018 Thana- BARHARA KOTHI District- Purnia

1. Arvind Prasad Singh @ ARVINDRA PRASAD SINGH Son of Late Bhupendra Prasad Singh Resident of Village - Orlaha, P.S.- Barhara (Raghuvansh Nagar), Distt.- Purnea.
2. Shashi Shekhar Singh @ Devanand Singh Son of Late Nakchedi Prasad Singh Resident of Village - Orlaha, P.S.- Barhara (Raghuvansh Nagar), Distt.- Purnea.
3. Raushan Kumar Son of Arvind Prasad Singh @ Arvindra Prasad Singh Resident of Village - Orlaha, P.S.- Barhara (Raghuvansh Nagar), Distt.- Purnea.
4. Shrawan Kumar Son of Arvind Prasad @ Arvindra Prasad Singh Resident of Village - Orlaha, P.S.- Barhara (Raghuvansh Nagar), Distt.- Purnea.
5. Ankit Kumar @ Ankit Kumar Singh Son of Jay Krishna Singh @ Jay Kumar Resident of Village - Orlaha, P.S.- Barhara (Raghuvansh Nagar), Distt.- Purnea.
6. Sandeep Kumar Son of Suresh Prasad Singh Resident of Village - Orlaha, P.S.- Barhara (Raghuvansh Nagar), Distt.- Purnea.
7. Brajesh Kumar Singh @ Brajesh Kumar Son of Late Mahendra Prasad Singh Resident of Village - Orlaha, P.S.- Barhara (Raghuvansh Nagar), Distt.- Purnea.
8. Arpan Kumar Son of Jay Krishna Singh @ Jay Kumar Resident of Village - Orlaha, P.S.- Barhara (Raghuvansh Nagar), Distt.- Purnea.

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Uday Chand Prasad, Advocate
For the Respondent/s : Mr. Sadanand Paswan, A.P.P.

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 28-11-2019 Heard learned counsel for the appellants and learned counsel for the State. Learned counsel for the complainant is also present.

This is an appeal under Section 14(A)(2) of the SC/ST



Act against the order dated 21.09.2019 passed by the learned Ist Additional Sessions Judge cum Special Judge, SC/ST Act, Purnea, in A.B.P. No. 72 of 2019, CIS No. 72 of 2019, arising out of Barhara (Raghubansh Nagar) P.S. Case No. 245 of 2018, Special Case No. 186 of 2018, registered under Sections 147, 341, 323, 504, 506 of the Indian Penal Code and Section 3(i)(r), 3(i)(s), 3(2)(va) of Schedule Caste/ Schedule Tribe (Prevention of Atrocities) Act 1989, whereby the prayer of anticipatory bail has been rejected.

Learned counsel for the appellants submits that though the appellants are named in the FIR, there is no specific role assigned to them. It is further submitted that the accusation of having used caste name is also the figment of imagination and has been introduced to make charge grievous. It is further submitted that the appellants have no criminal antecedent.

Having considered the aforementioned facts and circumstances of the case and the fact that the appellants have no criminal antecedent, let the appellants, above named, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, 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 1st Additional Sessions Judge cum Special Judge, SC/ST Act, Purnea in connection with Special Case No. 186 of 2018 arising out of Barhara (Raghuvansh Nagar) P.S. Case No. 245 of 2018, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

With the aforesaid, the present appeal stands consigned to records.

(Anjana Mishra, J)

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