

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5062 of 2019

Arising Out of PS. Case No.-380 Year-2019 Thana- BEUR District- Patna

SANJAY KUMAR @ SANJAY SAO S/o Late Jai Ram Sah @ Jai Ram Sao
@ Jai Ram Sahu R/o Mohalla- Shahid Ram Govind Singh Path, Jai Prakash
Nagar, P.S.- Jakkanpur, District- Patna

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Uday Pratap Singh
For the Respondent/s : Mr.Binay Krishna

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

ORAL ORDER

2 21-11-2019 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 26.10.2019 passed by learned Additional
Sessions Judge-XX- cum Special Judge (SC/ST Act), Patna in
connection with Special Case No.494 of 2019, arising out of
Beur P.S. Case No. 380 of 2019 registered under Sections 341,
504, 506/34 of the Indian Penal Code and Section 3(i) (r) (s) of
the Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act.

While the informant was proceeding for working



in Kosut Enterprises, Isharpur as a labourer, appellant and Sonu Kumar accosted him and slated him in the name of his caste and asked him to leave the job of the said establishment else to face dire consequence.

It is submitted by learned counsel for the appellant that no such occurrence as alleged ever took place. As a matter of fact, the owner of the said firm dumps building material on the road in front of the house of the appellant and for that appellant has made complaint to the P.S. concerned and has also filed informatory petition before the C.J.M., Patna for the same and peeved with same owner of the aforesaid establishment has got the aforesaid case lodged against the appellant through informant who is his labour. There is no allegation of slating the informant in the specific name of the caste against the appellant. 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 learned Additional Sessions Judge-XX- cum Special Judge (SC/ST Act), Patna in connection with Special Case No.496 of 2019, arising out of Beur P.S. Case No. 380 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 this appeal is allowed.

(Prakash Chandra Jaiswal, J)

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