

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5247 of 2019

Arising Out of PS. Case No.-542 Year-2019 Thana- HAJIPUR SADAR District- Vaishali

BIPIN SINGH @ BIPIN KUMAR SINGH Son of Baleshwar Singh Resident
of Village - Durga Nagar, Chak Baladhari, P.S.- Sadar Hajipur, District -
Vaishali.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Sunil Kumar Singh
For the Respondent/s : Mr.Usha Kumari 1

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 03-12-2019 Heard learned counsel for the Appellant and

learned counsel for the State.

This is an appeal under Section 14(A) (2) of the
SC/ST Act against the refusal of prayer for anticipatory bail
vide order dated 16.09.2019 passed by Additional Sessions
Judge 1st cum Spl. Judge, Vaishali in connection with A.B.P.
No. 2233 of 2019 + A.B.P. No. 2281 of 2019 arising out of
Sadar Hajipur P.S. Case No. 542 of 2019 for the offence
registered under Sections 147, 148, 149, 447, 341, 323, 307,
379, 427, 504 and 506 of the Indian Penal Code and
Section 27 of the Arms Act and Section 3(i) (r) of the
SC/ST Act.

Learned counsel for the Appellant submits that the



entire allegation is false and mischievous and only because the present appellant had gone to pacify the persons, who were quarreling over their *rasta*, the name of the appellant has been introduced invoking the provisions of SC/ST Act. It is further submitted that other co-accused persons have since been extended the privilege of bail and they were all belonging to the same caste as that of the informant. It is further submitted that though the allegation speaks of firing upon the informant, there is no injury on any party.

Considering the aforesaid facts and circumstances of the case and that the appellant has no criminal antecedent, let the appellant, above named, in the event of his arrest/surrender before the learned court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Additional Sessions Judge 1st cum Spl. Judge, Vaishali in connection with A.B.P. No. 2233 of 2019 + A.B.P. No. 2281 of 2019 arising out of Sadar Hajipur P.S. Case No. 542 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal



Procedure.

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

(Anjana Mishra, J)

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