

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.117 of 2020

Arising Out of PS. Case No.-169 Year-2019 Thana- RAGHUNATHPUR District- Siwan

BINOD SINGH Son of Giraja Kishore Singh Resident of Village - Nikhti
Kala , Police Station - Raghunathpur, District - Siwan.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Ajay Kumar Tiwary
For the Respondent/s : Mr.Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 17-12-2020 Due to COVID-19 Pandemic, the matter is being taken up
by way of Virtual Court proceeding.

The matter has been listed under the heading ‘For Orders’
under the orders of Hon’ble the Chief Justice.

Heard learned counsels for the parties.

The matter relates to grant of anticipatory bail to the
appellant in connection with Raghunath P.S. Case No. 169 of 2019
registered for the offences under Sections 341, 323, 504 of the Indian
Penal Code and section 3(i) (r) (2)(v) (a) of the SC/ST (Prevention of
Atrocities) Act.

The prosecution case, in brief, is that while the informant
was going to orchard, the accused persons assaulted him by pressing
neck with his feet.

It has been submitted on behalf of the appellant that the
appellant has got no criminal antecedent. There is no allegation of



tampering of witnesses alleged against the appellant. The appellant has falsely been implicated in the present case. No deadly weapon is said to have been used in the present case. No occurrence is said to have taken place within public view. Hence, no offence under SC/ST Act is made out in the present case.

On behalf of the State, it is submitted that the appellant is named in the F.I.R.

In view of the aforesaid facts and circumstances, the order dated 04.12.2019 passed by the learned 1st Additional Sessions Judge-cum- Special Judge, Siwan in A.B.P. No. 2145 of 2019 in connection with Raghunath P.S. Case No. 169 of 2019, is set aside. The criminal appeal is allowed.

Accordingly, the appellant, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge-cum- Special Judge, Siwan in connection with Raghunath P.S. Case No. 169 of 2019.

(Sudhir Singh, J)

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