

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.160 of 2020

Arising Out of PS. Case No.-136 Year-2019 Thana- TARARI District- Bhojpur

1. AMAN KUMAR Son of Laddu Singh Resident of Village - Sedahan, P.S.- Tarari, Distt.- Bhojpur.
2. Bikki Kumar Son of Ram Pravesh Singh Resident of Village - Sedahan, P.S.- Tarari, Distt.- Bhojpur.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Shiv Prasad Gupta
For the Respondent/s : Mrs.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 counsel for the appellants and learned APP for the State.

The matter relates to grant of anticipatory bail to the appellants in connection with a case registered for the offences under Sections 354(A), 354(B), 504 of the Indian Penal Code and Sections 3(i)(r)(s) of the SC/ST (Prevention of Atrocities) Act, 1989.

The prosecution case, in short is that on 23.07.2019



the informant was going to the school, the accused persons including the appellant used to say filthy words and abused her saying caste name and they also catch hand of the informant with bad intention.

It has been submitted on behalf of the appellants that the appellants have got no criminal antecedents and there is no allegation of tampering of witnesses alleged against the appellants. The appellants have falsely been implicated in the present case. The allegation made in the F.I.R. is denied by the appellants. For oblique reason, the present case has been instituted. The alleged occurrence has not taken place within public view. Hence no offence under the SC/ST Act is attracted in the present case.

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

In view of the aforesaid facts and circumstances, the order dated 19.12.2019, passed by the learned 1st Additional Sessions Judge, Bhojpur at Ara in connection with Tarari P.S. case No.136 of 2019, is set aside. The criminal appeal is allowed.

Accordingly, the appellants, 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, Bhojpur at Ara in connection with Tarari P.S. case No.136 of 2019.

(Sudhir Singh, J)

Narendra/-

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