

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL APPEAL (SJ) No.173 of 2020**

Arising Out of PS. Case No.-283 Year-2019 Thana- DEHRI TOWN District- Rohtas

1. RAJENDRA KUMAR @ RAJENDRA PRAJAPATI S/o Mohan Ram R/o village- Niranjan Bigaha, P.S.- Dehri (Town), District- Rohtas
2. Abhishek Ranjan @ Piyush Kumar S/o Rajendra Kumar @ Rajendra Prajapati R/o village- Niranjan Bigaha, P.S.- Dehri (Town), District- Rohtas

... .. Appellants

Versus

The State of Bihar

... .. Respondent/s

**Appearance :**

For the Appellant/s : Mr.Chhote Lal Mishra  
For the Respondent/s : Mr.Usha Kumari I

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH  
ORAL ORDER**

4      18-12-2020      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 the parties.

The matter relates to grant of anticipatory bail to the appellants in connection with Regd. No. 106 of 2019 (arising out of SC/ST Dehri (Town) P.S. Case No. 283 of 2019) registered for the offences under Sections 341, 323, 307, 354, 504, 506/34 of the Indian Penal Code and Sections 3(1)(r)(s)(w) of the SC/ST Act.

Allegedly, one Ayush Kumar used to follow and tease



the daughter of the informant in course of going to coaching centre. It is further alleged that near one petrol pump, the aforesaid Ayush started to tease her and also got introduced her from his other friends. It is also alleged that when the brother of the victim went to Ayush, he was assaulted by Danda by accused persons and misbehaved them calling their caste name.

It has been submitted on behalf of the appellants that the appellants have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the appellants. The appellants have falsely been implicated in the present case. General and omnibus allegation has been made against the appellants. No specific overt act is alleged against the appellants. The nature of injury is said to be simple. There is case and counter case between the parties. The injury on the side of the accused has not been explained by the prosecution. The prosecution has not come with clean hands. The alleged occurrence has not taken place within public view. Hence, no offence under the provisions of SC/ST Act is attracted in the present case.

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

In view of the aforesaid facts and circumstances, the order



dated 26-11-2019 passed by learned Additional District & Sessions Judge-Ist, Sasaram, Rohtas in Regd. No. 106 of 2019 (arising out of SC/ST Dehri (Town) P.S. Case No. 283 of 2019) is set aside. The present Criminal Appeal is ***allowed***.

Accordingly, let the appellants, above named, in the event of arrest or 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) each with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-Ist, Sasaram, Rohtas in connection with Regd. No. 106 of 2019 (arising out of SC/ST Dehri (Town) P.S. Case No. 283 of 2019).

**(Sudhir Singh, J)**

A.K.V.//-

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