

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.619 of 2020

Arising Out of PS. Case No.-69 Year-2019 Thana- SC/ST District- Rohtas

1. MANOJ SINGH @ MANOJ KUMAR SINGH Son of Dinanath Singh Resident of Village - Dawath, P.S.- Dawath, District - Rohtas.
2. Kumar Martand Son of Manoj Singh Resident of Village - Dawath, P.S.- Dawath, District - Rohtas.
3. Braj Kishore Singh @ Bhutti Singh Son of Barmeshwar Singh Resident of Village - Dawath, P.S.- Dawath, District - Rohtas.
4. Sumit Kashyap Singh @ Chintu Kumar Son of Braj Kishore Singh @ Bhutti Singh Resident of Village - Dawath, P.S.- Dawath, District - Rohtas.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Rajani Kant Singh
For the Respondent/s : Mr.Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 25-11-2020 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.

Learned counsel for the appellants is directed to remove the defect(s), as pointed out by the office, within a period of four weeks after restoration of normalcy.

Heard the parties.

The matter relates to grant of anticipatory bail to the appellants in connection with Dehri SC/ST P.S. Case No. 69 of



2019 registered for the offences under Sections 341, 323, 324, 325, 504, 506, 34 of the Indian Penal Code and Sections 3(1)(r) (s) of the SC/ST (Prevention of Atrocities) Act, 1989.

Allegedly, while the informant was cleaning the varandah of Sati Asthan, the accused persons came there and started abusing him calling his caste name. It is also alleged that the accused persons assaulted the informant with iron rod.

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 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 23-01-2020 passed by learned Additional District & Sessions Judge-Ist, Rohtas at Sasaram in Registered Case No. 216 of 2019 arising out of Dehri SC/ST P.S. Case No. 69 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, Rohtas at Sasaram in connection with Registered Case No. 216 of 2019 arising out of Dehri SC/ST P.S. Case No. 69 of 2019.

(Sudhir Singh, J)

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