

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.692 of 2020**

Arising Out of PS. Case No.-17 Year-2019 Thana- MEHANDIA District- Jehanabad

SONU KUMAR Son of Late Kedar Singh Resident of Village - Masuda, P.S.
- Mehandia, District - Arwal.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Umesh Kumar

For the Respondent/s : Mr.Sadanand Paswan

**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 appellant 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 Mehandia P.S. Case No. 17 of
2019 registered for the offences under Sections 323, 341,
354(B), 504, 506 of the Indian Penal Code and Sections 3(i)(r)
(s), 3(2)(va) of the SC/ST (POA) Act.

Allegedly, in course of going to Navin Bal Vidya



Mandir for reading, in the way near the house of Binod Bhagat, the appellant abused the informant/victim calling her caste name and also assaulted with lathi. It is also alleged that the appellant torn her cloth and took her mobile.

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. Due to petty dispute, the alleged occurrence is said to have taken place. There is no injury report on record to show that any person sustained injury in the occurrence. The alleged occurrence has not taken place within the 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 appellant is named in the Complaint Case/F.I.R.

In view of the aforesaid facts and circumstances, the order dated 21-12-2019 passed by learned Additional District & Sessions Judge-Ist, Jehanabad in Mehandia P.S. Case No. 17 of 2019 is set aside. The present Criminal Appeal is *allowed*.

Accordingly, let the appellant, 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) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-Ist, Jehanabad in connection with Mehandia P.S. Case No. 17 of 2019.

(Sudhir Singh, J)

A.K.V.//-

U		T	
---	--	---	--

