

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.926 of 2020

Arising Out of PS. Case No.-137 Year-2017 Thana- AURANGABAD COMPLAINT CASE
District- Aurangabad

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1. ASHOK PRASAD Son of Chandrika Prasad Resident of Village-Dadhapi, P.S.-Bandeya, District-Aurangabad.
 2. Pramod Singh Son of Suresh Singh Resident of Village-Dadhapi, P.S.-Bandeya, District-Aurangabad.
 3. Soni Singh Son of Pramod Singh Resident of Village-Dadhapi, P.S.-Bandeya, District-Aurangabad.
 4. Satendra Singh Son of Late Arjun Singh Resident of Village-Dadhapi, P.S.-Bandeya, District-Aurangabad.
 5. Rahul Singh Son of Satendra Singh Resident of Village-Dadhapi, P.S.-Bandeya, District-Aurangabad.
 6. Tappu Singh Son of Satendra Singh Resident of Village-Dadhapi, P.S.-Bandeya, District-Aurangabad.
 7. Raju Singh Son of Late Bhim Singh Resident of Village-Dadhapi, P.S.-Bandeya, District-Aurangabad.
 8. Binod Singh Son of Rajdeo Singh Resident of Village-Dadhapi, P.S.-Bandeya, District-Aurangabad.
 9. Bir Kuar Singh Son of Suresh Singh Resident of Village-Dadhapi, P.S.-Bandeya, District-Aurangabad.
 10. Rinku Singh Son of Late Arjun Singh Resident of Village-Dadhapi, P.S.-Bandeya, District-Aurangabad.
 11. Santu Singh Son of Late Arjun Singh Resident of Village-Dadhapi, P.S.-Bandeya, District-Aurangabad.
 12. Akhilesh Singh Son of Inderdeo Singh Resident of Village-Dadhapi, P.S.-Bandeya, District-Aurangabad.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Ravindra Kumar
For the Respondent/s : Mr.Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 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.

Heard the parties.

The matter relates to grant of anticipatory bail to the appellants in connection with Complaint Case No. 137 of 2017 registered for the offences under Sections 147, 149, 341, 323, 504 and 506 of the Indian Penal Code and Sections 3(1)(r), 3(1)(s), 3(2)(va) of the SC/ST (Prevention of Atrocities) Act.

Prosecution case in short is that the accused persons variously armed assembled at the house of the complainant, abused and assaulted her by taking her caste name.

It has been submitted on behalf of the appellants that all the appellants except appellant No. 4 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 matter relates to civil dispute. 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 appellants



are named in the Complaint Case/F.I.R.

In view of the aforesaid facts and circumstances, the order dated 22-01-2020 passed by learned Additional District & Sessions Judge-Ist-cum-Special Judge, SC/ST (Prevention of Atrocities) Act, Aurangabad in Complaint Case No. 137 of 2017 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 eight 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-cum-Special Judge, SC/ST (Prevention of Atrocities) Act, Aurangabad in connection with Complaint Case No. 137 of 2017.

(Sudhir Singh, J)

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