

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1329 of 2020

In
CRIMINAL MISCELLANEOUS No.10752 of 2020

Arising Out of PS. Case No.-936 Year-2019 Thana- SAHARSA District- Saharsa

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GOLU SINGH @ ASHWANI RANJAN @ ASHWANI RANJAN SINGH @ ASHWANI SINGH, (Male), aged about 25 years, Son of Ashok Prasad Singh @ Ashok Singh @ Ashok Kumar Singh, Resident of D.B. Road in the Street Beside Dr. A.K. Choudhary Ward No.10, Saharsa P.S. and District-Saharsa.

... .. Appellant

Versus

The State of Bihar

... .. Respondent

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Appearance :

For the Appellant : Mr.Amarnath Jha, Advocate.

For the Respondent : Mr.Sunil Kumar Pandey, Spl. P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 06-11-2020 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 defects, as pointed out by the office, within a period of four weeks after restoration of normalcy.

Heard learned counsel for the parties.

The matter relates to grant of anticipatory bail to the appellant in connection with Saharsa Sadar P.S. Case No. 936 of 2019, registered for the offences under Sections 341, 323, 354, 379, 307/34 of the I.P.C. and 27 of the Arms Act.



The prosecution case, in short, is that on 17.10.2019 at about 5.40 O'clock, when the informant was returning after walking alongwith her sister-in-law, on the way, Golu Singh (petitioner) alongwith one unknown person came and started abusing and outraging her modesty. On protest, she was slapped and they took her ornaments. On hulla, pistol was pointed on her temple. When the nearby people came they fled away.

It has been submitted on behalf of the appellant that the appellant has falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the appellant. The allegation of assault is by way of fists and slaps. Superficial injury is said to have been caused. There is admitted enmity between the parties. Subsequently, in course of investigation, it has come that the appellant had committed an offence under SC/ST Act. It has been submitted on behalf of the appellant that the alleged occurrence has not taken place within public view. Hence, no offence under SC/ST Act is made out in the present case.

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

In view of the aforesaid facts and circumstances, the order dated 30.11.2019, passed by learned Additional Sessions



Judge-III, Saharsa, in A.B.P. No. 786/2019, is set aside. The criminal appeal is allowed.

Accordingly, 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 Sessions Judge-III, Saharsa, in connection with Saharsa Sadar P.S. Case No. 936 of 2019.

(Sudhir Singh, J)

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