

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1923 of 2020

Arising Out of PS. Case No.-67 Year-2020 Thana- SASARAM NAGAR District- Rohtas

1. Ghura Bind S/O Dukhan Bind Resident of Village - Rangpur, P.S. Darigaon, District Rohtas.
2. Phulendra Bind @ Phulendra Kumar Son of Ghura Bind Resident of Village - Rangpur, P.S. Darigaon, District Rohtas.
3. Mohan Bind Son of Ram Briksh Bind Resident of Village - Rangpur, P.S. Darigaon, District Rohtas.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Sada Nand Roy
For the Respondent/s : Mr.Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 17-12-2020 Heard learned counsel for appellants and learned
Special P.P. for the State through video conferencing.

The present appeal has been filed against order dated 01-07-2020 passed by learned A.D.J.-I cum Special Judge, Rohtas at Sasaram in Sasaram Darigaon P.S. Case No. 67 of 2020 registered for the offence punishable under Sections 147, 149, 341, 323, 325, 384, 506 of the Indian Penal Code and Section 3(i)(r)(s) of SC/ST Act, whereby the prayer for anticipatory bail of appellants was rejected.

As per the prosecution case, on 24-01-2020 at about 7:30 PM, all the FIR named accused persons, including these appellants, came armed with *lathi*, *danda* and started assaulting the labours and other staffs of Brick-kiln and also abused them



by caste name.

It is submitted on behalf of appellants that the informant himself does not belong to Scheduled Caste community. There is three days delay in lodging FIR. There is general and omnibus allegation of abusing and causing assault. The appellants have no criminal antecedent, as stated in paragraph – 3 of the memo of appeal.

Considering the aforesaid facts & circumstances as well as nature of allegation, the impugned order dated 01-07-2020 passed by learned A.D.J.-I cum Special Judge, Rohtas at Sasaram in Sasaram Darigaon P.S. Case No. 67 of 2020 is set aside and appeal is allowed.

Accordingly, let the appellants, above named, in the event of arrest or surrender within a period of eight weeks from the date of receipt/production of copy of this order, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.D.J.-I cum Special Judge, Rohtas at Sasaram in connection with Sasaram Darigaon P.S. Case No. 67 of 2020.

(Prabhat Kumar Singh, J.)

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