

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1914 of 2020

Arising Out of PS. Case No.-18 Year-2019 Thana- BHOJPUR COMPLAINT CASE District-
Bhojpur

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1. Vanshraj Singh @ Banshraj Singh Son of Jalim Singh Resident of Village- Salkhana, P.O. - Koath, P.S. - Agiaon Bazar, District - Bhojpur.
 2. Sanjay Singh Son of Rajendra Singh Resident of Village- Salkhana, P.O. - Koath, P.S. - Agiaon Bazar, District - Bhojpur.
 3. Ramesh Singh @ Guddu Son of Vanshraj Singh Resident of Village- Salkhana, P.O. - Koath, P.S. - Agiaon Bazar, District - Bhojpur.
 4. Rajendra Singh @ Bhodal Son of Sukar Singh Resident of Village- Salkhana, P.O. - Koath, P.S. - Agiaon Bazar, District - Bhojpur.
 5. Kamlesh Singh @ Bhulan Singh Son of Vanshraj Singh Resident of Village- Salkhana, P.O. - Koath, P.S. - Agiaon Bazar, District - Bhojpur.
 6. Munna Singh Son of Rajaram Singh Resident of Village- Salkhana, P.O. - Koath, P.S. - Agiaon Bazar, District - Bhojpur.
 7. Rajdhan Singh Son of Vanshraj Singh Resident of Village- Salkhana, P.O. - Koath, P.S. - Agiaon Bazar, District - Bhojpur.

... .. Appellant/s

Versus

1. The State of Bihar
2. Shashikant Kumar Son of Late Hazari Ram Resident of Village- Salkhana, P.O. - Koath, P.S. - Agiaon Bazar, District - Bhojpur.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Ashwani Kumar Tiwary
For the Respondent/s : Mrs.Usha Kumari

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
26-02-2020 passed by learned A.D.J.-I, Bhojpur, Ara in ABP
No. 354/2020 {arising out of Complaint S.L. Case No.
18(C)/2019} registered for the offence punishable under



Sections 341, 323, 379, 384, 506 of the Indian Penal Code and Section 3(i)(ii)(x)(r)(o) of SC/ST Act, whereby the prayer for anticipatory bail of appellants was rejected.

As per complaint, on 09-03-2019 at about 10 AM, all the appellants came at the door of the complainant, abused him by his caste name and thereafter, assaulted the informant by fists and slaps. It is further alleged that they (appellants) also took the signature of complainant on blank paper.

It is submitted on behalf of appellants that appellants are members of one family. There is general and omnibus allegation and appellants have been falsely implicated due to village caste politics. In fact, no such occurrence has taken place and as such, no offence under the SC/ST Act is made out against these appellants. 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 26-02-2020 passed by learned A.D.J.-I, Bhojpur, Ara in ABP No. 354/2020 {arising out of Complaint S.L. Case No. 18(C)/2019} 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-bonds of Rs. 10,000/- (ten thousand)
each with two sureties of the like amount each to the satisfaction
of learned A.D.J.-I, Bhojpur, Ara in connection with Complaint
S.L. Case No. 18(C)/2019.

(Prabhat Kumar Singh, J.)

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