

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1961 of 2020**

Arising Out of PS. Case No.-16 Year-2020 Thana- SC/ST District- Kaimur (Bhabua)

SATYENDRA SINGH Son of Trilok Narayan Singh Resident of Village -
Ratwar, P.S.- Bhabua, District - Kaimur at Bhabua

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Tribhuwan Narayan

For the Respondent/s : Mr. Sadanand Paswan, Spl. P.P.

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 18-12-2020 Heard learned counsel for the appellant and learned
Special P.P. for the State through video conferencing.

The present appeal has been filed against the order dated 30.06.2020 passed by learned Additional District and Sessions Judge 1st cum Special Judge Kaimur at Bhabhua, in Bhabhua SC/ST P.S. Case No. 16/2020 registered for the offences punishable under Sections 341/342/323/379/34 of the Indian Penal Code and Sections 3(1)(r)(s)(w), 3(2)(va) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, whereby the prayer for anticipatory bail of appellant was rejected.

As per the prosecution case, on 19.03.2020, the appellant along with co-appellant Vikash Singh abused the informant by her caste name and on the false allegation of theft



of money they assaulted her with *Lathi* and *Danda*.

It is submitted that the prosecution case is a counter blast of Bhabhua P.S. Case No. 200/2020 filed against the informant. It is further submitted that the entire case is false and fabricated as the occurrence is alleged to have taken place on 19.03.2020 and the present FIR has been lodged on 23.03.2020, after a delay of four days, for which no plausible explanation has been given. Moreover, the informant was working as a helper in the School in which the appellant is an employee and the aforesaid case (Bhabhua P.S. Case No. 200/2020) has been filed against the informant by the owner of the school, namely, Dharmendra Singh and the appellant has got clean antecedent.

Considering the aforesaid facts and circumstances as well as nature of allegation, the impugned order dated 30.06.2020 passed by learned Additional District and Sessions Judge 1st cum Special Judge Kaimur at Bhabhua, in Bhabhua SC/ST P.S. Case No. 16/2020 is set aside and appeal is allowed.

Accordingly, let the appellant, above named, in the event of arrest or surrender within a period of eight weeks from the date of receipt/production of a 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 to the



satisfaction of learned Additional District and Sessions Judge
1st cum Special Judge Kaimur at Bhabhua in connection with
Bhabhua SC/ST P.S. Case No. 16/2020.

(Prabhat Kumar Singh, J)

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