

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1939 of 2020**

Arising Out of PS. Case No.-67 Year-2019 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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Shambhu Kumar Son of Nepali Singh (Ex- Rojgar Sevak Narharipur Panchayat) Resident of Village - Gara, P.S.,-Birpur, Distt.- Begusarai.
... .. Appellant/s

Versus

1. The State of Bihar
2. Sita Devi W/o Chaman Paswan Resident of Village - Jagdishpur, P.S.- Bhagwanpur, Distt.- Begusarai.
... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Arjun Prasad
For the Respondent/s : Ms. Usha Kumari No. 1, Spl. P.P.

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**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 19.08.2020 passed by learned Spl. Judge SC/ST (POA), Begusarai in Complaint Case No. 67C/2019 registered for the offences punishable under Sections 323/354 of the IPC and Section 3(i)(x) of the SC/ST (POA) Act, whereby the prayer for anticipatory bail of appellant was rejected.

As per the prosecution case, on 20.05.2013 at about 05:00 a.m. all the accused persons including the appellant along with unknown persons came to the house of the informant and abused her by calling her caste name and refused to make payment of her wages.



It is submitted that after investigation, the police has submitted charge-sheet in this case on 17.06.2016 and differing with the same, the Special Court has taken cognizance on 11.12.2019. It is further submitted that the appellants have got no criminal antecedents as stated in paragraph No. 3 of the petition.

Considering the aforesaid facts and circumstances as well as nature of allegation, the impugned order dated 19.08.2020 passed by learned Spl. Judge SC/ST (POA), Begusarai in Complaint Case No. 67C/2019 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 Spl. Judge SC/ST (POA), Begusarai in connection with Complaint Case No. 67C/2019.

(Prabhat Kumar Singh, J)

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